



WEB COPY



Crl. O.P. No.22035 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.22035 of 2024

Thavamani

... Petitioner

Vs.

1. The Superintendent of Police,
Near PS Park, Erode-638 001.

2. The Inspector of Police,
Modakkurichi Police Station,
Erode -638 104.
(Cr.No.89 of 2024)

3. The Superintendent of Police,
CBCID, No.220, Pantheon Road,
Egmore, Chennai.

.. Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS Act,2023 to transfer the investigation in Cr.No.89 of 2024 pending before the 2nd respondent police to 3rd respondent and pass an order to expedite the investigation.

For Petitioner : Mr.M.Venkatachalam

For Respondents : Mr. S.Udayakumar
Government Advocate (Crl.Side)



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ORDER

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2. When the matter came up for consideration on 09.09.2024, the learned Government Advocate (Crl.Side) submitted that the Investigating Officer is awaiting for the viscera report and cell phone call details and receipt of the details, investigation will be proceeded. Recording the said submission, matter was adjourned to 23.09.2024.

3. The case is listed today (26.09.2024), for consideration, counter filed by the Inspector of Police, signed on 19.09.2024, wherein it is stated the cellphones of the suspected person and the deceased been sent for forensic examination. The pendrive produced by the complainant is also forwarded for forensic examination.



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4. The learned counsel for the petitioner submits that the death of the petitioner's daughter was informed by the Viswa and material available including photographs and conversation indicating that the said Viswa and the deceased were in love and had intimacy and also got married Viswa. While so, suspicious death which point Viswa as the accused not properly investigated and till date Viswa not secured or interrogated about the incident.

5. The counter filed by the Investigating Officer is conspicuously silent about her line of investigation regarding the suspected Viswa. The sluggishness in investigating the suspicious death of Vijaya Lakshmi appears to be due to certain vested interest. Hence, this Criminal Original Petition for transfer of investigation is allowed. The first respondent is directed to transfer the case to CBCID for investigation and proceed further.

26.09.2024

Vv



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To

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Modakkurichi Police Station,
Erode -638 104.
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3. The Superintendent of Police,
CBCID, No.220, Pantheon Road,
Egmore, Chennai.
4. The Public Prosecutor,
High Court of Madras.



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Dr.G.JAYACHANDRAN,J.

Vv

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