



*CrI.O.P.(MD)No.411 of 2024*

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED : 11.01.2024

CORAM :

**THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP**

CrI.O.P.(MD)No.411 of 2024

Karthikeyan

...Petitioner

Vs.

1.The Superintendent of Police,  
Office of the Superintendent of Police,  
Madurai District.

2.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Samayanallur,  
Madurai.

3.The Inspector of Police,  
Kadupatty Police Station,  
Madurai District.  
(Crime No.188 of 2023)

... Respondents

**Prayer :** Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to issue a direction, directing the first respondent to transfer the investigation in Crime No.188 of 2023 from the third respondent to some other investigation agency by considering the petitioner's representation dated 19.12.2023.

For Petitioner : Mr.J.Mohamed Ibrahim

For Respondents : Mr.T.Senthil Kumar  
Additional Public Prosecutor



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### **ORDER**

This Criminal Original Petition had been filed seeking withdrawal of the investigation in Crime No.188 of 2023 from the file of the third Respondent to any other agency/officer.

2. The learned Counsel appearing for the Petitioner submitted that the Petitioner had lost his dear daughter. She died in suspicious circumstances. Based on the complaint of the Petitioner, F.I.R was registered with the third Respondent. From the enquiry by the Petitioner, he came to know that the third Respondent was under the impression that the Petitioner's daughter committed suicide. To know the truth of the suspicious death of his dear daughter, the Petitioner had searched the room where his daughter had resided and also the bag of the daughter from where he was able to get few letter correspondence between her and one Sridhar, Melakkal Village, Madurai. Also there had been a frequent interaction between the Petitioner's daughter and the said Sridhar through their mobile phones. The Petitioner had handed over the letter and her mobile phone to the third Respondent which he had taken from his daughter's bag. In spite of the same, the third Respondent was reluctant to proceed with the further



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investigation to unravel the truth of the sudden demise of the Petitioner's dear daughter. He is likely to close the investigation as “Suicide”. Having not satisfied with the investigation of the third Respondent, the Petitioner had approached this Court seeking withdrawal of the investigation from the file of the third Respondent to any other agency officer under the first respondent.

3. The learned Additional Public Prosecutor, on instructions, from the third Respondent submitted that the investigation had already been completed and awaiting report from the Forensic Department regarding viscera report for final opinion from the Doctor, who had conducted postmortem.

4. The learned Counsel for the Petitioner further submitted that the said Sridhar, son of Sivasakthi of Melakkal Village, is the person having political influence. Therefore, he did not expect the third Respondent to conduct the investigation fairly.

5. In the light of the submission made by the learned Counsel for the Petitioner, the first Respondent/the Superintendent of Police, Madurai Rural is directed to supervise the investigation and also find out the involvement



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of the third Respondent/Inspector of Police, Kadupatty Police Station, whether he had conducted a fair investigation.

6. If what had been stated by the learned Counsel for the Petitioner is found reasonable, the apprehension expressed by the petitioner, who lost his dear daughter, is found shocking that the third respondent is indifferent to the feelings of the complainant to find out the truth about the death of the petitioner's dear daughter and hurriedly attempt to close the investigation as though it is a “suicide”.

7. In the light of the developments, it is not fair for the Superintendent of Police to permit the third Respondent to proceed with the investigation. In all fairness, the first Respondent/Superintendent of Police shall withdraw the investigation from the file of the third Respondent and hand over the same to the competent person, who is fair in conducting impartial investigation and also who is not influenced by the political parties or otherwise.

8. If the Superintendent of Police is unable to find out any fair Investigation Officer within the Madurai Rural, he can approach the Inspector General of Police.



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9. With the above said direction, this Criminal Original Petition is disposed of.

**11.01.2024**

Index : Yes/No

Internet: Yes/No

jbr

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Madurai District.
- 2.The Deputy Superintendent of Police,  
Office of the Deputy Superintendent of Police,  
Samayanallur,  
Madurai.
- 3.The Inspector of Police,  
Kadupatty Police Station,  
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- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**SATHI KUMAR SUKUMARA KURUP, J.,**

jbr

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