



Crl.O.P.(MD)No.4462 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.4462 of 2022

I.Ramu

... Petitioner/De-facto complainant

Vs.

1.The State Rep. by
The Superintendent of Police,
Office of the Superintendent of Police,
Manamadurai, Sivagangai District.

2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
Crime No.25 of 2022

3.The Inspector of Police,
CBCID Wing, Sivagangai,
Sivagangai District.

... Respondents

PRAYER:- Petition filed under Section 482 of Cr.P.C., to direct the first respondent to transfer the investigation in Crime No.25 of 2022, dated 21.01.2022 on the file of the second respondent to the third respondent or some other investigation agency under the supervision of the first respondent within the stipulated period fixed by this Court.

For Petitioner : Mr.K.Vinoharan

For Respondents : Mr.S.Manikandan

Government Advocate (Crl. side)



Crl.O.P.(MD)No.4462 of 2022

ORDER

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This Criminal Original Petition has been filed to direct the first respondent to transfer the investigation in Crime No.25 of 2022, dated 21.01.2022 on the file of the second respondent to the third respondent or some other investigation agency under the supervision of the first respondent within the stipulated period fixed by this Court.

2.The petitioner is the father of the deceased. The marriage between the petitioner's daughter and one Kannan was solemnized on 01.06.2014 and the husband of the deceased was working abroad, he left the petitioner's daughter in the matrimonial home along with his parents. Subsequently, the petitioner's daughter was subjected to harassment at the hands of her husband's family members. In the meanwhile, she delivered a male child on 29.03.2015 in the Government Hospital, Paramakudi and due to the harassment made by her husband's family members, the petitioner's daughter left the matrimonial home and continued to reside in the petitioner's house. In the meanwhile, she delivered a girl child on 14.02.2020. While that being so, the said Kannan returned from abroad in October 2021, the petitioner and other family members requested the said Kannan to live with her daughter and at the insistence of the



Crl.O.P.(MD)No.4462 of 2022

petitioner and his family members, the petitioner's daughter and the said Kannan were living in the matrimonial home. All of a sudden, on 20.01.2022 at about 07.00 p.m., the said Kannan informed the petitioner that his daughter had died due to a heart problem and that the body was cremated. Immediately, the second respondent registered an FIR in Crime No.25 of 2022 under Section 174 of Cr.P.C., at the inception refused to send the corpse of the petitioner's daughter for postmortem instead of they insisted to dispose the corpse and after the death of the petitioner's daughter, the husband of the deceased booked air ticket and fly to abroad and hence, the petitioner made a representation to transfer the investigation to CBCID and the same was not considered. Hence, the present petition is filed with the above said prayer.

3.The learned counsel for the petitioners would submit that this Court may issue a direction to the second respondent to conclude the investigation within a period of three months.

4.The learned Government Advocate (Crl. side) appearing for the State would submit that the investigation will be concluded within three months.



Crl.O.P.(MD)No.4462 of 2022

5.In view of the above, the second respondent is directed to complete the investigation within a period of three months from the date of receipt of a copy of this order.

6.With the above direction, the Criminal Original Petition is disposed of.

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
Sji

02.02.2024

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Manamadurai, Sivagangai District.
- 2.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
- 3.The Inspector of Police,
CBCID Wing, Sivagangai,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.4462 of 2022

M.DHANDAPANI, J.

Sji

Crl.O.P.(MD)No.4462 of 2022

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