



Crl.O.P.(MD)No.9090 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.09.2024

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THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.9090 of 2024

N.Kutharath Mohamed

... Petitioner

Vs.

1.The Superintendent of Police,
Pudukkottai District, Pudukkottai.

2.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to transfer the investigation in connection with the case in Crime No.195 of 2024 dated 04.05.2024, pending on the file of the second respondent Police to any other competent authority or CBCID, Pudukkottai District and conduct a fair investigation.

For Petitioner : Mr.E.Balasubramanian

For Respondents : Mr.P.Kottaichamy
Government Advocate (Crl. Side)



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ORDER

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This criminal original petition has been filed seeking orders to direct the first respondent to transfer the investigation in connection with the case in Crime No.195 of 2024 dated 04.05.2024, pending on the file of the second respondent Police to any other competent authority or CBCID, Pudukkottai District and conduct a fair investigation.

2.It is seen that on the basis of the complaint lodged by the petitioner, FIR registered on 04.05.2024 in Cr.No.195 of 2024 under Section 174 Cr.P.C. In pursuance to the directions of this Court, the second respondent filed a status report wherein it is stated that they have examined 7 witnesses, that the relatives of the defacto complainant has given statement under Section 161(3) Cr.P.C., that the deceased did not know swimming and that the investigation is pending. It is further stated that the reason for the death is drowning and final opinion is awaiting.

3.As rightly pointed out by the learned Government Advocate(Crl.side), the petitioner has not shown any material of reason to transfer the investigation.



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4.The learned counsel appearing for the petitioner would submit that the second respondent has not examined some of the friends of the deceased, relatives of the petitioner and the people, who are residing nearby the pond from which the body was recovered.

5.Considering the above, the second respondent is directed to examine the friends of the deceased, relatives of the petitioner and the people, who are residing nearby the pond, proceed with the investigation, complete the same and file the final report, within a period of three months from the date of receipt of a copy of this order. The Deputy Superintendent of Police, Aranthangi Sub Division, Pudukkottai District is directed to monitor the investigation of the case.

6.With the above directions, this criminal original petition stands disposed of.

11.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
gns



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K.MURALI SHANKAR,J.

gns

To

- 1.The Superintendent of Police,
Pudukkottai District, Pudukkottai.
- 2.The Inspector of Police,
Aranthangi Police Station,
Pudukkottai District.
- 3.The Deputy Superintendent of Police,
Aranthangi Sub Division,
Pudukkottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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