



CRL OP(MD). No.10800 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 23.07.2024

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THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.10800 of 2024

R.Anitha

... Petitioner

Vs

1. The Inspector General of Police,
South Zone, Madurai.

2. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram..

3. The Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.
Crime No.06 of 2024.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents Nos.1 and 2 to transfer the investigation in Crime No.06 of 2024 pending on the file of the 3rd Respondent to any other competent officer.



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For Petitioner : Mr. M.Jegadeesh Pandian
For Respondent : Mr.P.Kottai Chamy
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking a direction against respondents Nos.1 and 2 to transfer the investigation in Crime No.06 of 2024 pending on the file of the 3rd Respondent to any other competent officer.

2.The learned Counsel for the petitioner submits that the petitioner's husband died in a suspicious circumstances on 24.01.2024 and there were 32 injuries on his body. Based on the complaint of the petitioner, a case was registered in Crime No.06 of 2024 under Section 174 of Cr.P.C. However, the respondent police has not shown any progress in this case for the past seven months.

3.The learned Government Advocate (Crl. Side) on instruction from the respondent police submits that the deceased in this case, no doubt, has sustained injuries and all the injuries are of laceration and



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contusion. The respondent police has conducted the investigation, examined 21 witnesses and they are awaiting call details and the lab report. Further, he submits the respondent police would conclude the investigation within a period of four weeks.

4.This Court considered the rival submissions made.

5.The petitioner's husband was found dead with injuries. Whether it is a laceration or contusion injuries, the deceased died with injuries. However, the respondent police has not even found the cause of death for the past seven months. The learned Government Advocate (Crl. Side) claims that they are waiting for the CDR for the past seven months.

6.This Court is unable to understand the reason for not obtaining the CDR for the past seven months. This Court is of the view that the respondent, who is conducting the investigation is not competent enough to conduct the investigation and find out the truth for the past seven months. Therefore, this Court is inclined to allow this application. Accordingly, this Criminal Original Petition is allowed with a direction



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to the second respondent to withdraw the case in Crime No.110 of 2024 from the file of the third respondent and to entrust the same with some other sincere police officer. The Deputy Superintendent of Police shall monitor the investigation and shall conclude the same within a period of eight weeks from the date of receipt of a copy of this order.

23.07.2024

NCC : Yes/No

Index : Yes/No

Internet: Yes

jbr

To

1. The Inspector General of Police,
South Zone, Madurai.

2. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram..

3. The Inspector of Police,
Rameswaram Town Police Station,
Ramanathapuram District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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B.PUGALENDHI,J

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Order made in
Crl.O.P.(MD)No.10800 of 2024

23.07.2024