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Crl.O.P.(MD)No.17815 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserved : 11/12/2023

Date of Pronounced : 03/01/2024

CORAM

The Hon'ble Mr.Justice **G.ILANGO VAN**

Crl.OP (MD)No.17815 of 2023

and

Crl.MP (MD)No.14102 of 2023

M.Ramanathan : Petitioner

Vs.

- 1.The Director General of Police,
O/o.The Director General of Police
Beach Road,
Chennai.
- 2.The Superintendent of Police,
Special Police Establishment,
CBI-Central Bureau of Investigation,
III Floor, Sasthiri Bhavan,
No.26, Haddows Road,
Nungambakam,
Chennai.
- 3.The Superintendent of Police,
O/o.The Superintendent of Police,
Thoothukudi District.
- 4.The Inspector of Police,
CBCID, Thoothukudi District.
- 5.The Inspector of Police,
Pasuvandanai Police Station,
Thoothukudi District.
(Crime No.122 of 2022) : Respondents

PRAYER:-Criminal Original Petition has been filed under section 482 of the Criminal Procedure Code, directing the respondent No.1 to transfer the case in



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Crime No.122 of 2022, dated 21/09/2022 registered by the respondent No.5 and now investigated by the 4th respondent and the same to be entrusted to the respondent No.2 for further investigation or any other competent agency and proceed in accordance with law within the time period stipulated by this court and pass any further or orders.

For Petitioner : Mr.T.Thirumurugan

For Respondents : Mr.Vaikkam Karunanithi
Government Advocate
(Criminal side)

O R D E R

This criminal original petition has been filed seeking for direction to the 1st respondent to transfer the case in Crime No.122 of 2022, dated 21/09/2022 registered by the 5th respondent and now investigated by the 4th respondent and the same to be entrusted to the 2nd respondent for further investigation or any other competent agency and proceed in accordance with law within the time period stipulated by this court.

2.The facts in brief:-

The deceased namely Vaitheeshwari is the daughter of the petitioner. She was studying 12th Standard at Muthukaruppan Higher Secondary School, Chilangulam, Thoothukudi District. She was staying in the hostel. In the month of August, 2022, the District Hostel



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Administration conducted inspection regarding basic amenities. At that time, the deceased made a complaint stating that basic amenities were not properly provided. Because of the complaint made by the deceased, the School Authorities having grudge and tortured her mentally by abusive words. That was intimated to the petitioner. But however, the petitioner consoled the deceased. In the meantime, on 20/09/2022 at about 09.30 pm, he received a call from the Hostel Warden that his daughter is not well and admitted in the Government Hospital, Kovilpatti. He went to the hospital. But in the midway, a call was received from an unknown number to come to the 5th respondent police station. He was informed that his daughter was admitted in the Government Hospital, Kovilpatti. He was informed that she committed suicide.

3.Doubting or suspecting the School Authorities, he made a complaint. Since no proper steps were taken, this petition is filed seeking transfer of investigation, since the Investigating Officer is colluding with the School Authorities.

4.Heard both sides.

5.An unfortunate death of a minor girl.



6. Even though, it has been stated by the petitioner that because of the torture made by the School Authorities, her daughter was forced to commit suicide is not supported any materials so far.

7. The 5th respondent is present before this court. Entire CD file is called for and perused.

8. Perusal of the CD file and on hearing the 5th respondent, it is seen that the deceased was having love affair with a boy. Over that issue, some sort of trouble exists among the students. On the particular date of the occurrence, the deceased returned to the hostel after attending the funeral ceremony of her maternal aunt. She was under depression, according to the co-students. But for what reason, she committed suicide is a matter for investigation. The suicide note is also collected, now under process for Forensic Science Expert examination. But the suspicion now created by the petitioner is absolutely without any material.

9. Status report is also filed by the 4th respondent. Now he is investigating the matter as per the order of the first respondent herein. Actually, in the hostel where the deceased was staying is a free hostel run by a



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Trust. So far 134 witnesses have been examined and 20 documents were collected. Various Authorities namely the The Chief Educational Officer, Thoothukudi, Tahsildar, Ottapidaram, The District Collector, The Special Thasildar, SC/ST Welfare Department also visited the occurrence spot. So this court is of the considered view that the investigation is undertaken in a proper and unbiased manner. Simply because, the petitioner making complaint against the School authorities, unless it is supported by any material, no action can be taken by the 4th respondent in that line. But however, even now the investigation is not over, the Hostel Authorities may also be examined by the 4th respondent to clear the suspicion. So this is too a premature stage to record any finding and the actual reason for the suicide.

10.Suspicion with regard to the hook used for committing the suicide is a remote point to be taken into account by the Investigating Officer. Statements have been recorded to show that on hearing the noise, the co-students and Hostel Warden, who was available in the nearby area, rushed to the spot and found the deceased hanging. So I find no reason to entertain suspicious situation.



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11. But as mentioned above, the cause for the suicide or reason is not investigated now. I find no reason to entertain this petition at this stage.

12. In the result, this criminal original petition stands **dismissed**. Consequently connected Miscellaneous Petition is closed.

03/01/2024

Index: Yes/No
Internet: Yes/No
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- 5.The Inspector of Police,
Pasuvandanai Police Station,
Thoothukudi District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J

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