



Crl.O.P.(MD)No.17812 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserved : 20/12/2023

Date of Pronounced : 03/01/2024

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

Crl.OP (MD)No.17812 of 2023

S.K.Chidambaranathan : Petitioner/De-facto
Complainant

Vs.

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

2.The Deputy Superintendant of Police,
Paramakudi Sib-Division,
Ramanathapuram District.

3.The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
(Crime No.205 of 2022) : Respondents

PRAYER:-Criminal Original Petition has been filed under section 482 of the Criminal Procedure Code, directing the 1st respondent to transfer the investigation of the Crime No.205 of 2022 on the file of the 3rd respondent, Paramakudi Taluk Police Station, Ramanathapuram District to any other independent investigation agency and pass such further or other orders.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.M.Sakthi Kumar
Government Advocate
(Criminal side)



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O R D E R

WEB COPY This criminal original petition has been filed seeking for direction to the 1st respondent to transfer the investigation of the Crime No.205 of 2022 on the file of the 3rd respondent, Paramakudi Taluk Police Station, Ramanathapuram District to any other independent investigation agency.

2.The facts in brief:-

The petitioner is residing in the address mentioned in the petition. Nearby his house, his Paternal Uncle by name Muthusamy is living with his wife namely Chinnamma. During 2012, Muthusamy received several Crores of rupees from the public and later, cheated. During 2020, he absconded. On 05/07/2022, Chinnamma was murdered and her jewels were stolen. On the basis of the complaint given by his son, a case in Crime No.100 of 2023 was registered for the offence under sections 449, 302 and 380 of IPC against unknown persons.

3.During the course of the investigation, several persons were enquired including the petitioner and the deceased namely his father Soodamani. More than one occasions, this petitioner along with his father appeared before the Investigating Officer. They were let of after



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making enquiry. On 31/08/2022, the police officials compelled his father to give statement that too to confess the murder. After brutal attack, he was brought out of the police station in an unconscious stage. At that time, he was found with grievous injuries. The police were trying to fix the petitioner and his father as accused. The father was admitted in the hospital and at the instance of the police officials, no proper record was made and the father was discharged from the hospital.

4.Again, on 20/09/2022 he was taken by the police station, tortured and later brought to the house, on 20/09/2022 at about 11.50 pm and dropped him. He was found missing from the house. On that basis, he made a complaint. Upon which, a case in Crime No.133 of 2022 was registered under the caption 'man missing'.

5.On 24/09/2022, he was informed that one dead body was found at Manjur Village Railway Track in a decomposed stage. The petitioner identified the body as that of his father. Making allegation that because of the brutal attack made by the police officials, the death occurred; he made a representation. That was not considered. Hence, this petition.



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6.Heard both sides.

7.The 3rd respondent, who is the Investigating Officer also present before this court. CD file is also called for and perused.

8.Perusal of the CD file in both the matters namely the case in Crime Nos.100 and 205 of 2022 shows that brutal attack was committed upon the deceased Chinnamma by some unknown persons. During the course of the investigation, several persons were enquired or interrogated as the case may be, including this petitioner and this deceased father. On more than one occasions, they appeared before the respondent police. They were let off after enquiry or interrogation as the case may be. Finally, the father of the petitioner was enquired by the 3rd respondent police and dropped in the house, on 20/09/2022 at about 11.50 pm.

9.Even though, it is stated by the petitioner that several injuries were made by brutal attack on his father, the postmortem report does not indicate any external injuries. The cause of the death is also noted as poison. If really the petitioner's father was brutally attacked by the police team, the petitioner or the



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deceased ought to have made a complaint immediately to the higher authorities. But absolutely nothing was done by the petitioner or his father.

10.Now the investigation has been closed stating that because of the interrogation made by the police officials, the deceased committed suicide by consuming poison.

11.I find absolutely no suspicious circumstances in this matter. The father of the petitioner was dropped in the house, after police interrogation as mentioned above. If really, it was a brutal attack, it would have been brought to the notice of the higher officials immediately and to the hospital. So the allegations made are only an after-thought. So I find no reason to transfer the investigation. If still aggrieved, he can file protest petition.

12.In the result, this criminal original petition stands **dismissed**.

03/01/2024

Index:Yes/No
Internet:Yes/No
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To,
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- 1.The Superintendent of Police,
Ramanathapuram,
Ramanathapuram District.
- 2.The Deputy Superintendant of Police,
Paramakudi Sib-Division,
Ramanathapuram District.
- 3.The Inspector of Police,
Paramakudi Taluk Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J

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