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Crl.O.P.(MD)No.19581 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserved : 18/12/2023

Date of Pronounced : 03/01/2024

CORAM

The Hon'ble Mr.Justice **G.ILANGOVAN**

Crl.OP (MD)No.19581 of 2023

R.Senthil Kumar : Petitioner/De-facto
Complainant

Vs.

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

2.The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime No.215 of 2023) : Respondents/Complainants

PRAYER:- Criminal Original Petition has been filed under section 482 of the Criminal Procedure Code, to direct the 1st respondent to withdraw the investigation of the case in Crime No.215 of 2023 on the file of the 2nd respondent and transfer the same to any other appropriate Investigation Officer to conduct fair enquiry and free investigation and pass such further or other orders.

For Petitioner : M/s.A.B.Jeeva

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



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O R D E R

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This criminal original petition has been filed seeking withdrawal of the investigation of the case in Crime No.215 of 2023 on the file of the 2nd respondent and transfer the same to any other appropriate Investigation Officer to conduct fair enquiry and free investigation.

2.The facts in brief:-

(i)The marriage between the daughter of the petitioner namely Parvathy and one Sathish Kumar was solemnized, on 06/02/2014. They had no child. On 15/07/2023 at about 3.00 pm, the daughter of the petitioner contacted her mother through phone stating that there is a problem between herself and her husband. Thereafter, on 17/07/2023 at about 07.00 am, the son-in-law of the petitioner's brother namely Kishore contacted the petitioner's son stating that the petitioner's daughter committed suicide. The petitioner along with 50 members of his village went to the house of his son-in-law and found some injuries in his daughter's face and bleeding injuries all over the body. At that time, funeral arrangements were also made quickly by the son-in-law of the family. On suspicion, he gave a complaint, on 17/07/2023 before the 2nd respondent police. On the



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basis of the complaint, a case in Crime No.215 of 2023 was registered under section 174 of Cr.P.C.

(ii)Subsequently, the second respondent sent the body of the deceased to postmortem. Thereafter, postmortem report was also received by mentioning the reason for the death as 'Pending for Forensic Lab Report'. After a lapse of three months, the second respondent police did not take any steps to get the forensic lab report. Thereafter, the petitioner sent a representation to the Revenue Divisional officer, Kumbakonam. But it was not considered properly by the concerned authority. So by way of filing this petition, he approached this court seeking transfer of the case as stated above.

3.Heard both sides.

4.CD file has been called for and perused. The Investigating officer was also present before this court.

5.The marriage between the deceased and the Sathish Kumar took place, on 06/02/2014. There was no child for them. On that account, there was trouble between them frequently. On 15/07/2023, the deceased appears to have



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informed the de-facto complainant that some troubles are going on in her home and later, on 17/07/2023, she appears to have committed suicide.

6.As mentioned in the preamble portion, according to the petitioner, funeral arrangements were made fastly by the son-in-law of the family. They also found some injuries on the nose and ear, etc. parts. On that account, they are suspecting the involvement of the accused persons stating that they have beaten, tortured the deceased to death.

7.Postmortem report is also called for and perused. Wherein we find that except the injuries on the neck region, no other bodily injuries, which are external in nature were found.

8.The learned Government Advocate (Criminal side) would submit that without the knowledge of the husband, the deceased pledged the jewels; Fearing scolding by the husband about that issue, she committed suicide.

9.During the course of investigation, the jewels pledged by the deceased and the receipts were also recovered and call details were also collected; Nothing



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incrimination was found against anyone; It also came to light that the deceased was in illegal intimacy with one Pradeep; That came to the knowledge of the husband; He in turn informed the same to the parents of the deceased; Over that also, there was trouble between them; In the mobile phone possessed by the deceased, some photographs showing the intimacy between the deceased and Pradeep was also noticed by the husband on 16/07/2023. On the next day, the suicide occurred.

10.It also further revealed that the villagers belongs to the deceased demanded Rs.10,00,000/- towards the marriage expenses from the husband; There was no compromise between the parties; They also received the body after postmortem demanding Rs.10,00,000/-. The amount was arrived at Rs.3,50,000/-. Only after that, the petitioner received the body for funeral ceremony.

11.The facts collected during the course of investigation does indicate that neither the husband, nor his relatives are responsible for the suicide. Demanding money from the husband of the deceased itself shows the idea behind this petition.



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12.I find absolutely no reason to entertain this petition. Accordingly, this criminal original petition is **dismissed**. Now the investigation is completed and final report has also been filed stating that further action dropped, if the petitioner has got any grievance over that, he can work out his remedy through appropriate forum, if so advised.

13.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,
Thanjavur District,
Thanjavur.
- 2.The Inspector of Police,
Papanasam Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J

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