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CrI.O.P.No.2567 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

CRL.O.P.No.2567 of 2023

M.Venkatesan

....

Petitioner

Vs

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

2.The Sub Inspector of Police,
Arcot Police Station,
Ranipet District.

....

Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, directing the first respondent to transfer the investigation in Crime No.384 of 2022 on the file of the Sub Inspector of Police, Arcot Police Station to the Inspector of Police, CBCID, Ranipet District to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondents : Mr.R.Vinothraja
Government Advocate (Criminal Side)



Crl.O.P.No.2567 of 2023

ORDER

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This Criminal Original Petition has been filed seeking the transfer of investigation in Crime No.384 of 2022 from the file of the second respondent to the file of the Inspector of Police, CBCID, Ranipet.

2. The petitioner is the father of the deceased. His daughter was married to one Janaki Raman on 28.08.2020. At the time of her marriage, the petitioner presented 10 sovereigns of gold jewels and also a two wheeler along with other Sridhana articles. However, the petitioner's daughter was tortured by the family members of her husband demanding huge dowry. While being so, on 13.11.2022, the petitioner was informed that his daughter committed suicide by hanging herself. On receiving her body of his daughter, he suspected that she was murdered by her husband and in-laws. On his complaint, an FIR has been registered in Crime No.384 of 2022 for the offence under Section 174(3) of Cr.P.C. The body of his daughter was subjected to post-mortem and it is found that the deceased died due to her head injury. The post-mortem report was received on 14.11.2022. Even today, no one has been examined by the second respondent and no investigation was done so far. There are other evidence to show that his daughter was murdered in the matrimonial house.



Crl.O.P.No.2567 of 2023

3. Heard the learned counsel appearing on either side and

perused the materials available on record.

4. It is unfortunate to state that even after receipt of the post mortem report saying that his daughter died due to head injury viz., external injury being found on her body. Though the second respondent has already altered the FIR for the offence under Section 302 of IPC, still the FIR is pending for investigation. Thus, it is clear that the second respondent has acted in a biased manner supporting the accused persons. Therefore, no purpose would be served if the investigation is ordered to be continued by the second respondent.

5. In view of the above, the FIR in Crime No.384 of 2022 is hereby withdrawn from the file of the second respondent and transferred to the file of the Deputy Superintendent of Police, CBCID, Ranipet, for further investigation. On receipt of the entire case file, the Deputy Superintendent of Police, CBCID, Ranipet, is directed to complete the investigation and file a final report within a period of twelve weeks from the date of receipt of a copy of this order. Further, the Superintendent of Police, Ranipet, is directed to take appropriate action as against the Investigating Officer in Crime No.384 of 2022 in accordance with law,



CrI.O.P.No.2567 of 2023

6. In the result, this Criminal Original Petition stands allowed.

WEB COPY

03.02.2025

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Index: Yes/No

Internet: Yes/No

To

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

2.The Sub Inspector of Police,
Arcot Police Station,
Ranipet District.

3.The Public Prosecutor,
High Court, Madras.



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Ctrl.O.P.No.2567 of 2023

G.K.ILANTHIRAIYAN,J.

Lpp

CRL.O.P.No.2567 of 2023

03.02.2025