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Crl.O.P.No. 9998 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.9998 of 2024

Jyoti Devi Sethiya

... Petitioner

Vs.

1.The State by,
The Superintendent of Police,
Erode District.

2.The Inspector of Police,
Erode North Police Station,
Erode District.

3.The Inspector of Police,
CBCID,
Erode District.

..Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the respondent No.1 to transfer the case in the Crime No.578 of 2023 pending on the file of respondent No.2 police to CBCID police and file a final report in the said case before the appropriate Court.

For Petitioner : Mr.B.Mohan



CrI.O.P.No. 9998 of 2024

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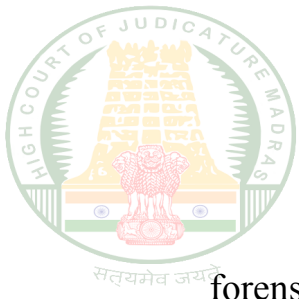
For Respondents : Mr.K.M.D.Muhilan,
Government Advocate (crl.side)

ORDER

This petition has been seeking direction to transfer the investigation in Crime No. 578 of 2023 from the file of the second respondent to the CBCID for further and proper investigation.

2. Heard both sides and perused the material available on record.

3. The learned Government Advocate (criminal side), on instructions, has submitted that the petitioner's husband committed suicide by consuming poison. Based on the complaint, the second respondent registered an FIR in Crime No. 578 of 2023 under Section 174 of Cr.P.C. Upon further verification from the deceased's mobile phone, the offence has been altered to one under Sections 306 and 420 of the IPC against the two accused persons, who are the petitioner's husband's business partners. The second respondent is now awaiting the



CrI.O.P.No. 9998 of 2024

WEB COPY

forensic laboratory report.

4. In light of the above, this Court is of the view that, at this juncture, transferring the investigation in Crime No. 578 of 2023 from the second respondent to any other investigating agency would adversely affect the investigation already conducted by the second respondent. Accordingly, this Criminal Original Petition stands dismissed. However, the second respondent is directed to complete the investigation and file the final report within a period of twelve weeks from the date of receipt of a copy of this order.

14.02.2025

Neutral citation : Yes/No
Speaking/non-speaking order
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CrI.O.P.No. 9998 of 2024

G.K.ILANTHIRAIYAN, J.

shk

To

- 1.The Superintendent of Police,
Erode District.
- 2.The Inspector of Police,
Erode North Police Station,
Erode District.
- 3.The Inspector of Police,
CBCID,
Erode District.
4. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.9998 of 2024

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