



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 31.10.2012

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

WEB COPY

Cr1.O.P(MD) No.15898 of 2011

M.Selvi

.. Petitioner

Vs

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

2.The Sub-Inspector of Police,
Panaiyapatti Police Station,
Pudukottai District.
(Crime No.111/2011)

3.The Inspector of Police,
CBCID Branch,
Pudukottai District.

... Respondents

This petition is preferred under Section 482 Cr.P.C to withdraw the case in crime No.11 of 2011 on the file of the second respondent and to transfer the same to the third respondent, investigate the same and file final report against the real culprits in accordance with law.

For Petitioner : Mr.G.Sridharan

For Respondents : Mr.K.V.Rajarajan

Govt.Advocate.(Crl.Side)

O R D E R

The petitioner, who is the mother of the deceased has come forward with this Criminal Original Petition seeking transfer of investigation to the third respondent herein and file a final report.

2. It is the specific case of the petitioner that she was threatened not to make a compliant by the named persons. The deceased was said to have been in love with one Velvizhi. The deceased is said to have visited the house of the said Velvizhi and thereafter, he died. In the complaint dated 11.10.2011, the petitioner has specifically stated that the Panchayatars have threatened her not to implicate the family members of Velvizhi. The petitioner has also found injuries on the body of the deceased. The family members of Velvizhi were also said to be missing, after the death of the petitioner's son.

3. A perusal of the counter affidavit would show that there is no indication about the investigation done over the named persons stated by the petitioner. It is also not in dispute that before the death, the petitioner's son visited the house of the said Velvizhi and the death is relatable to the occurrence that had happened there. The occurrence took place on 02.10.2011 and a counter affidavit is filed on 18.11.2012. There is no indication in the counter that substantial progress is made in the investigation.

4. Therefore, this Court is of the view that this is a fit case where the investigation will have to be transferred from the file of the second respondent to some other competent authority. Accordingly, the first respondent is directed to transfer the investigation from the file of the second respondent to anyother investigating officer within his jurisdiction and supervise the same.

This Criminal Original Petition is disposed of with the above direction.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

ssm

To

- 1.The Superintendent of Police,
Pudukottai District, Pudukottai.
- 2.The Sub-Inspector of Police,
Panaiyapatti Police Station,
Pudukottai District.
(Crime No.111/2011)
- 3.The Inspector of Police,
CBCID Branch,
Pudukottai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

rg.16.11.2012

2p/5c

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