

(2011) 11 MAD CK 0037

In the Madras High Court

Case No : Writ Petition No. 9710 of 2011 and M.P. No. 1 of 2011

J. Rajendran

APPELLANT

Vs

The State of Tamil Nadu and Others

RESPONDENT

Date of Decision : 08-11-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 174
Penal Code, 1860 (IPC) — Section 306

Citation : (2011) 11 MAD CK 0037

Hon'ble Judges : D. Hariparanthaman, J

Bench : Single Bench

Advocate : S. Ayyathurai, for the Appellant; R.M. Muthukumar, Government Advocate, for the Respondent

Judgement

Honourable Mr. Justice D. Hariparanthaman

1. The petitioner was working as Headmaster of the Government Higher Secondary School, Thirumakottai. In May 2009, his daughter by name Idhaya got married to Thiru.T.Premkumar, son of Tamilselvan of Kallaperandur, Thanjavur District. The petitioner had borne the entire marriage expenses and also gave jewels and cash. The matrimonial life of his daughter was not happy and she was harassed by her husband. According to the petitioner, to get money frequently from him, the petitioner's daughter was sent to the parental home. On 26.01.2011, T.Premkumar (son in law of the petitioner) came to the house of the petitioner and took his daughter and the child with him to Thanjavur on 27.01.2011 to attend a betrothal function on 28.01.2011. On 29.01.2011 at about 8.30 p.m., the petitioner's daughter Idhaya phoned up her mother and told her that she was dragged to bed room by her husband T.Premkumar by pulling her hair, demanding transfer of the house site property in his name, while he took her to Thanjavur and stayed with her. On 30.01.2011 at about 9.30 a.m., the son in law phoned up the nephew of the petitioner Thiru.Ilavarasan and told him that he was bringing his wife (daughter of the petitioner) and the child and

he should come to the bus stand and take them home. Accordingly, the petitioner's nephew Ilavarasan went to the bus stand and brought them home on his bike. On the way, she told him that till the previous night, she was harassed by her husband T.Premkumar about the transfer of the house site in his name. While so, she committed suicide due to the assault, harassment and humiliation by his son in law and his aunts and his sister. That incident took place on 30.01.2011. The complaint was lodged before the 5th respondent-Police, complaining that his son-in-law and his family members were responsible for the suicide committed by his daughter. The First Information Report was registered in Crime No.79/2011 on the file of the Mannargudi Police Station u/s 174 Cr.P.C. While so, the petitioner has filed the present Writ Petition seeking direction to the respondents 1 to 5 to entrust the investigation of the Criminal Case in Crime no.79/2011 on the file of the 5th respondent to the Crime Branch CID.

2. On 19.07.2011, this Court directed the 3rd respondent to file a status report with respect to the investigation of the case in Crime No.79/2011 on the file of Mannargudi Police Station.

3. Today, the learned Government Advocate appearing for the respondents, submitted that the investigation was over and the final report was filed. The opinion was sought for from the Assistant Director of Prosecution, Nagapattinam with regard to the filing of charge sheet, since the matter is pending. It is stated that as per the final report, the charge sheet has to be filed alleging that the son-in-law of the petitioner committed offence u/s 306 I.P.C.

4. In view of the fact that the investigation came to end and final report is filed, I am of the view that this matter need not be entrusted to a different agency for further investigation. Even as per the case of the petitioner, his daughter committed suicide. The investigation came to a conclusion that his son-in-law committed the offence u/s 306 I.P.C., and final report was already filed in this regard. Under such circumstances, I am of the view that no further order is necessary in this Writ Petition. Accordingly, the Writ Petition is closed. No costs. Consequently, connected M.P. is closed.