

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Twenty Fourth day of January Two Thousand and Twenty Two

PRESENT

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The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD) No.1344 of 2022

MURUGANANTHAM

... PETITIONER

Vs

1 THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS,
NO.1, RADHAKRISHNAN SALAI,
MYLAPORE, CHENNAI-600004.

2 THE DEPUTY INSPECTOR GENERAL OF POLICE,
TRICHY ZONE, TRICHY.

3 THE SUPERINTENDENT OF POLICE
THANJAVUR DISTRICT, THANJAVUR.

4 THE INSPECTOR OF POLICE
THIRUKATTUPALLI POLICE STATION,
THANJAVUR DISTRICT.
(CRIME NO.40/2022)

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to transfer the investigation of Crime No.40 of 2022 from the file 4th Respondent Police to C.B.C.I.D or any other independent investigation agency under the supervision of 1st Respondent and complete the investigation and file final report within a stipulated period as may be fixed by this Hon'ble Court.

ORDER : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.M.KARTHIKEYA VENKITACHALAPATHY, Advocate for the petitioner and of MR.T.SENTHIL KUMAR, ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondents, the Court made the following order:-

Pursuant to the order dated 22.01.2022 passed in this Original Petition, the petitioner herein as well as his wife appeared before the learned Judicial Magistrate No.3, Thanjavur. Their statements were recorded under Section 164 of Cr.P.C. The authenticated copies of the same have been made available before this Court.



2.The Court Officer was directed to hand over statements to the Investigation Officer Ms.Brindha, the Deputy Superintendent of Police, Vallam Sub Division. The Investigation Officer received the same in my presence. The petitioner as well as his wife have categorically confirmed the attempt to convert. The Investigation Officer also confirms before this Court that the video that has been circulated in the social media in which the deceased alleged that there was attempt to convert her to Christianity is in the voice of the deceased. In other words, the authenticity of the video is beyond dispute. However, this confirmation is not sufficient. An appropriate forensic analysis will have to be made. Therefore, the original mobile phone from which the video was recorded is required.

3.The petitioner is present before this Court through Video Conferencing. He stated that the video was recorded by one Muthuvel. He also states that the said Muthuvel will appear before the Investigation Officer tomorrow ie., 25.01.2022 at 10.00 A.M and hand over the mobile phone.

4.The following directions are issued :

a) The petitioner and his wife Saranya shall appear before the Investigation Officer at Vallam Camp Office tomorrow at 10.00 a.m.

b) Thiru.Muthuvel shall appear before the Investigation Officer tomorrow at 10.00 a.m and hand over the original mobile phone from which the video in question was recorded.

c) The Investigation Officer is directed to send the original mobile phone along with Compact Disk (C.D) to the Tamil Nadu Forensic Science Lab, Mylapore, Chennai immediately.

d) The Director, Tamil Nadu Forensic Science Lab, Mylapore, Chennai is directed to subject the mobile phone as well as the C.D and other materials that may be forwarded by the Investigation Officer and give a report answering the queries of the Investigation Officer by 05.00 P.M on 27.01.2022. The Investigation Officer shall station a special messenger to receive the same.

e) The Regional Forensic Science Lab, Thanjavur is directed to submit the viscera report as well as the other reports sought for by the Investigation Officer by 04.00 P.M on 27.01.2022.

f) The postmortem report containing the final opinion shall also be submitted to the Investigation Officer by then.

g) Since the Investigation Officer is having the statements of the petitioner and his wife recorded under Section 164 of Cr.Pc before the Judicial Magistrate and since there is no doubt or dispute regarding the authenticity of the voice in the video in question, the Investigation Officer shall take a call regarding filing alteration report by tomorrow evening.

h) The time line stipulated above shall be strictly adhered to.



5. Call this case on 28.01.2022 at 04.00 PM for passing orders.

sd/-
24/01/2022

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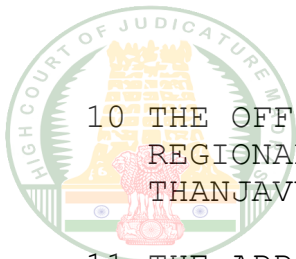
24/01/2022

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

- 1 THE REGISTRAR (JUDICIAL),
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.
- 2 THE DISTRICT COLLECTOR,
THANJAVUR DISTRICT.
- 3 THE PRINCIPAL DISTRICT JUDGE,
THANJAVUR DISTRICT.
- 4 THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS, NO.1,
RADHAKRISHNAN SALAI, MYLAPORE, CHENNAI-600004.
- 5 THE DEPUTY INSPECTOR GENERAL OF POLICE,
TRICHY ZONE, TRICHY.
- 6 THE SUPERINTENDENT OF POLICE
THANJAVUR DISTRICT, THANJAVUR.
- 7 THE DEPUTY SUPERINTENDENT OF POLICE,
VALLAM SUB DIVISION, THANJAVUR DISTRICT.
- 8 THE INSPECTOR OF POLICE
THIRUKATTUPALLI POLICE STATION,
THANJAVUR DISTRICT.
- 9 THE DIRECTOR,
TAMIL NADU FORENSIC SCIENCE LAB,
MYLAPORE, CHENNAI.



10 THE OFFICER INCHARGE
REGIONAL FORENSIC SCIENCE LAB,
THANJAVUR.

11 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL OP(MD) No.1344 of 2022

Date :24/01/2022

RS/JM/SAR.2 (24.01.2022) 4P-12C