

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.16360 of 2015

Tmt. Papathi

... Petitioner

Vs

1.The State,

Represented by
The Superintendent of Police,
Cuddalore District,
Cuddalore.

2. The Inspector of Police,
All Women Police Station,
Viruthachalam,
Cuddalore District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to pass an order directing the first respondent to withdraw the petitioner's complaint dated 03.06.2015 on the file of the second respondent herein and entrust the same to the CB.CID to take necessary action against the accused persons in accordance with law to secure the ends of justice.

For Petitioner : Mr.M.Velmurugan

For respondents: Mr.C.Emalias,
Addl.Public Prosecutor

सत्यमेव जयते
O R D E R

The present petition has been filed to direct the first respondent to withdraw the petitioner's complaint dated 03.06.2015 on the file of the second respondent herein and entrust the same to the CB.CID.

2. The petitioner lodged a complaint as against her husband and others on the allegation that her husband is having illegal intimacy with another women and married her when the earlier marriage is in existence. When the petitioner questioned her husband, he scolded her in filthy language and he also threatened the petitioner with dire consequences. Hence, the petitioner lodged a complaint with the respondent police on

03.06.2015. Since no action was taken so far, the present petition has been filed.

3. Learned Additional Public Prosecutor submitted that it is a family dispute between the parties and H.M.O.P was also pending between them filed in the year 2010 for divorce. In this background she has lodged a complaint.

4. Considering the submissions made on either side, this Court is of the opinion that there is no valid ground to transfer the investigation from the respondent police to CBCID. Hence, the criminal original petition stands dismissed. However, the 2nd respondent is directed to conduct an enquiry on the complaint dated 03.06.2015 given by the petitioner to proceed further in accordance with law, as early as possible. The petitioner is also directed to co-operate with the enquiry.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vsi

To

- 1.The Superintendent of Police,
Cuddalore District,
Cuddalore.
 2. The Inspector of Police,
All Women Police Station,
Viruthachalam,
Cuddalore District.
 - 3.The Public Prosecutor,
High Court, Madras.
- + 1 cc to Mr.M. Velmurugan, Advocate sR.64743

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RSI (CO)
Eu 15.12.15