

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.S.RAMANATHAN

Cr1.O.P. No.1710 of 2015

S.Dhanalakshmi

... Petitioner

vs.

State rep.by,
The Inspector of Police,
W-1, All Women Police Station,
Thousand Lights, Greams Road,
Chennai - 600 006.
(Cr.No.4 of 2014)

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to direct the respondent police to file the final report in respect of Cr.No.4 of 2014 by the respondent police on 5.11.2014 for the offences u/s.498(A), 406 and 506(i) of IPC.

For Petitioner : Mr.C.S.Dhanasekaran

For Respondent : Mr.M.Maharaja,
Addl.Public Prosecutor

O R D E R

This petition is filed seeking a directing directing the respondent police to file a final report in Crime No.4 of 2014.

2. It is submitted by the learned counsel for the petitioner that Criminal O.P.No.29947 of 2014 was filed by the petitioner for transfer of the investigation from the respondent police to some other police and that petition was dismissed on the basis of the submission made by the learned Additional Public Prosecutor that investigation was going on. Though the case was registered in the year 2011, for the past four years, no final report was filed and therefore, this petition has been filed.

3. The learned Additional Public Prosecutor submitted that though the case was registered by the respondent police and investigation was conducted, by order dated 2.1.2015, the investigation was transferred to All Woman Police Station, Panrotti,

as the investigation revealed that the cause of action arose within the jurisdiction of that particular police station.

4. The learned counsel for the petitioner submitted that the complaint discloses cause of action at Chennai and therefore, the respondent police is competent to conduct investigation and there was no need for the investigation to be transferred to some other police station and in support of his contention, he relied upon the judgment reported in (2011) 11 Supreme Court Cases 301 in the matter of Sunita Kumari Kashyap and State of Bihar and another.

5. According to me, as per the submission of the learned Additional Public Prosecutor, the investigation was transferred to All Women Police Station, Panrotti, on 2.1.2015, therefore, the prayer sought for in this petition cannot be granted. However, it is open to the petitioner to file an appropriate application for re-transfer of the investigation if the respondent police has got jurisdiction as per the judgment reported in (2011) 11 Supreme Court Cases 301 supra.

6. With the above observation, this petition is disposed of.

Sd /-
Assistant Registrar

//True Copy//

Sub-Assistant Registrar

asvm

To

1.The Inspector of Police,
W-1, All Women Police Station,
Thousand Lights, Grems Road,
Chennai - 600 006.
(Cr.No.4 of 2014)

2.The Public Prosecutor,
High Court, Madras.

+ 1 C.C. TO MR.C.S.Dhanasekaran Advocate Sr.7702

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