

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2015

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Cr1.O.P.No.19545 of 2015

Sujatha

... Petitioner

vs.

1. The Superintendent of Police,
Kancheepuram District.
2. The Deputy Superintendent of Police,
Vandalore,
Kancheepuram District.
3. The Inspector of Police,
H-2, Guduvancherry Police Station,
Guduvancherry,
Chennai.
Crime No.586 of 2015

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of the Cr.P.C., praying to direct the first respondent to investigate the crime in Crime No.586 of 2015 on the file of the Inspector of Police, H-2, Guduvancherry Police Station, Guduvancherry transfer to District Crime Branch, Kancheepuram.

For Petitioner : Mr.A.Punithavanan

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed praying to direct the first respondent to investigate and transfer the case in Crime No.586 of 2015 on the file of the Inspector of Police, H-2, Guduvancherry Police Station to the District Crime Branch, Kancheepuram.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3.It is alleged by the petitioner that there are two FIRs in this case. At the first blush, this submission by the learned counsel for the petitioner did sound convincing, therefore, this Court called upon the Sub-Inspector of Police who registered the FIRs, to file a status report.

4. Today, Mr.S.Dilli Babu, Sub Inspector of Police, H2-Guduvancherry Police Station is present and he has filed a status report, wherein in paragraph No.4, it is stated as follows:

"4.It is submitted that the F.I.R. in Crime No.586 of 2015 is a computer generated F.I.R. It was registered at 12:45 hours on 23.6.2015 and the copy of the same was given to the defacto complainant. After reading the F.I.R., the defacto complainant rightly pointed out that annexure along with the complaint which contains the details of the missing jewels is not included in the F.I.R. Hence, I have included the annexure detail in the computer and taken the F.I.R. and the said copy was given to the defacto complainant and forwarded to the Judicial Magistrate Court No.II, Chengalpet on the same day i.e., on 23.6.2015 itself. Hence, I deny the allegation that I have registered two F.I.Rs., in this case and the allegation are totally false."

5.Thus two FIRs came into existence. The explanation offered by the Sub Inspector of Police is accepted. It is further stated in the status report that, four accused have been arrested by the Inspector of Police, who is now seized of the investigation.

6.The learned counsel for the petitioner submitted that the Police have not properly investigated the case.

7. In paragraph no.6 of the status report filed by the Inspector of Police, it is stated as follows :

"6.It is submitted that during the course of the investigation, I have called upon both parties to appear before me for enquiry on 24.06.2015 by way of summon. Based on that the accused persons, Rajesh and Dinesh appeared before me for enquiry along with two other accused persons viz., Mala, W/o.Soundarajan and Rathina, W/o.Mohan. During the course of the above enquiry, one of the accused - Rathina fainted and swooned in the police station and hence, the rest of the accused persons were allowed to take the said accused - Tmt.Rathina to hospital for treatment in a hurried manner. At that time, the defacto complainant - Tmt.Sujatha insisted that the enquiry should be continued in spite of the situation, which was refused politely. Due to the above, the defacto complainant got anguish on me and left away with the vengeance on me and in turn, she approached the Deputy Superintendent of Police, Vandalore Sub Division and making false allegations against me. "

8.The dispute essentially appears to be between two wives of one Soundarajan. In the considered opinion of this Court, this is not a fit case to transfer the investigation to any other agency. However, the Inspector of Police, Guduvancherry Police Station is directed to proceed with the investigation under the supervision of the Superintendent of Police, Kancheepuram.

9. With the above direction, this Criminal Original Petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS III)

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Sub Assistant Registrar

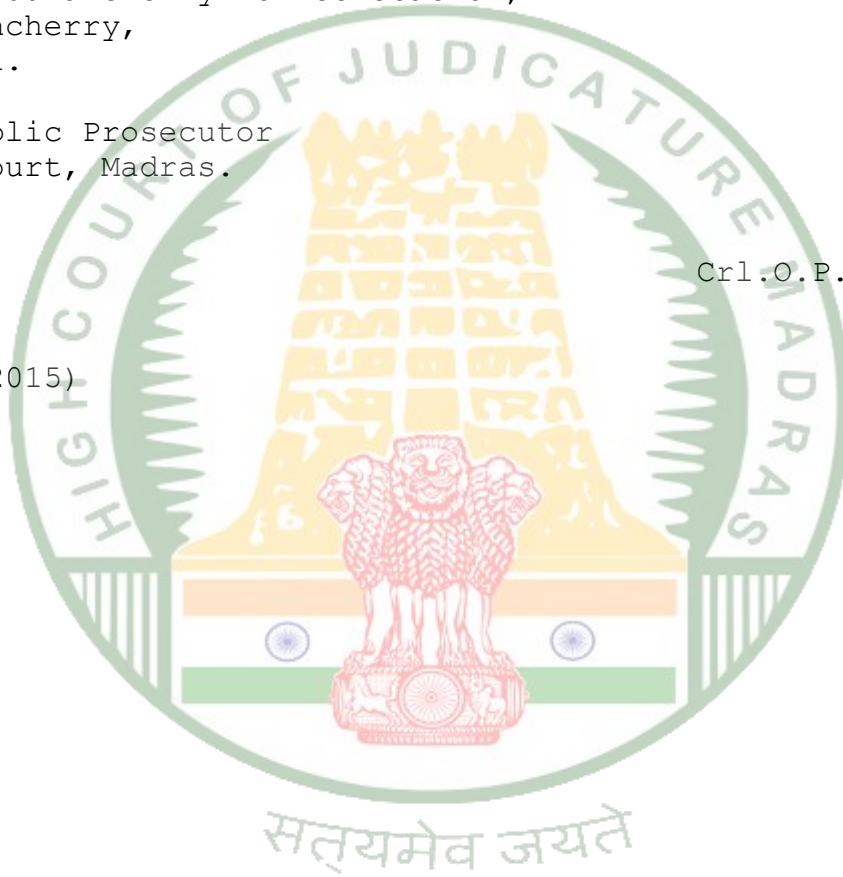
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To:

1. The Superintendent of Police,
Kancheepuram District.
2. The Deputy Superintendent of Police,
Vandalore,
Kancheepuram District.
3. The Inspector of Police,
H-2, Guduvancherry Police Station,
Guduvancherry,
Chennai.
4. The Public Prosecutor
High Court, Madras.

Crl.O.P.No.19545 of 2015

TM(CO)
CA(28/09/2015)



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