

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.28106 of 2015

Malar

... Petitioner/Defacto
Complainant

Vs

The Inspector of Police,
E1, Ponneri Police Station,
Ponneri 601 204,
Tiruvallur District.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. prayed to order for transferring the investigation in Crime No.14/2014, on the file of the respondent, from the respondent to some other investigation agency or police authority to investigate the case in accordance with law.

For Petitioner : Mr.Munuswamy

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

O R D E R

This petition has been filed to order for transferring the investigation in Crime No.14/2014, on the file of the respondent, from the respondent to some other investigation agency or police authority to investigate the case in accordance with law.

2. The petitioner herein lodged a complaint against Uma, Sankar, Ramu, Lakshmanan, Marimuthu, Karpagam, Ramu's wife, Sankar's wife and their two daughters for the alleged offence under sections 147, 148, 294, 323, 324, 506(ii) IPC r/w Section

4 of Women Harassment Act. Now the petitioner has come forward with the present petition to transfer the investigation in Crime No.14/2014 from the file of the respondent police to some other investigating agency.

3. In the affidavit it has been stated that the respondent police has not taken any steps to arrest the accused and the respondent police seems to have advised the accused to get anticipatory bail accordingly the accused obtained anticipatory bail in CrI.O.P.No.3826 of 2014 on 20.02.2014. the respondent police is intentionally and deliberately acting against the interest of the petitioner and supporting the accused illegally. Hence, the present petition.

4. Learned Additional Public Prosecutor submitted that no valid reason has been assigned to transfer the complaint to some other investigation agency. He further submitted that the petitioner is an accused and a counter complaint was also filed

5. The main reason for the petitioner to transfer the case from the respondent police to some other investigation agency is that the accused persons were allowed to get anticipatory bail in Cr.No.14 of 2014. This Court is of the opinion that the said reason will not serve as a ground to transfer the investigation. Hence, this Court is not inclined to entertain the petitioner. Hence, the criminal original petition stands dismissed. However, the respondent police is directed to expedite the investigation and file a final report as early as possible.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

सत्यमेव जयते

To

1. The Inspector of Police,
E1, Ponneri Police Station,
Ponneri 601 204,
Tiruvallur District.

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2.The Public Prosecutor,
High Court, Madras.

+lcc to R.Munuswamy, Advocate sr.64027

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vs[col
srg 10/12/2015



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