

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2015

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.29183 of 2015

A.Revathy

... Petitioner

..vs..

1. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
2. The Inspector of Police,
All Women Police Station,
Thiruvannamalai District.
3. The Inspector of Police,
CBCID, Thiruvannamalai District. Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking a direction to the 1st respondent to transfer the investigation in Crime No.31 of 2015 pending on the file of the 2nd respondent police to the 3rd respondent or some other Agency in the same District.

For Petitioner : Mr.H.Rajesh

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

O R D E R

The present Criminal Original Petition is filed seeking a direction to the 1st respondent to transfer the investigation in Crime No.31 of 2015 pending on the file of the 2nd respondent police to the 3rd respondent or some other Agency in the same District.

2. In the affidavit accompanying the petition, the petitioner has stated that she got married to one Murali, S/o.Durai on 30.10.2014. At the time of marriage, the petitioner's parents gave Streedhana articles and jewels of 15 sovereigns to the petitioner's husband's family. After the marriage, the petitioner was living together in her matrimonial house for a period of one year. In the meantime, the petitioner's husband and her in-laws demanded dowry and harassed the petitioner continuously. Hence, the petitioner made a complaint on

22.06.2015 before the Tirukoilur All Women Police Station and after receiving the complaint, CSR was issued vide CSR No.99/2015. The Inspector of Police enquired the petitioner's husband, warned and advised him and sent him back. Even after that, the petitioner's husband tortured the petitioner and attempted to kill her. Though she approached the police officials for taking necessary action against her husband and her in-laws, her efforts turned futile.

3. It is the further case of the petitioner that her husband tried to marry another woman and is trying to get divorce from the petitioner by mutual consent. Immediately, the petitioner made a complaint to the All Women Police Station, Tirukoilur on 21.09.2015 and the same was registered as CSR No.159/2015. Thereafter, on 26.09.2015, the petitioner made a fresh complaint to the 2nd respondent and the same was registered as CSR No.538/2015. It is the grievance of the petitioner that though enquiry was conducted by the 2nd respondent police on the very same day, F.I.R. was not registered.

4. It is further stated in the affidavit that after a lapse of one week, the petitioner personally met the 1st respondent and made representation against the 2nd respondent police. The petitioner also filed a direction petition under Section 156(3) r/w 190 Cr.P.C. to the Judicial Magistrate No.I, Thiruvannamalai on 06.10.2015. Later, she came to know that the 2nd respondent police registered a case in Crime No.31/2015 on 06.10.2015 against one person. Originally, the petitioner made a complaint against five persons and CSR was registered against five persons on 26.09.2015, but unfortunately, F.I.R. mentioned only one named accused and the names of others were deleted. Since the 2nd respondent directly threatened the petitioner, she made a detailed representation to the 1st respondent and other higher officials on 20.10.2015 along with relevant documents through registered post. Since no proper action was taken against the accused, the petitioner, having no other alternative, has come up with the present Criminal Original Petition.

5. Heard the learned counsel for the petitioner as also the learned Additional Public Prosecutor for the respondents.

6. Learned Additional Public Prosecutor submitted that the respondent police are conducting investigation in an appropriate manner.

7. Taking note of the above submissions, this Court is of the considered opinion that the petitioner has not made any valid ground to transfer the investigation in Crime No.31/2015 pending on the file of the 2nd respondent police to the 3rd respondent police. But, taking note of the ground raised by the petitioner that the respondent police are lethargic in their investigation, this Court feels it appropriate to direct the respondents to

expedite the investigation and file a Final Report as early as possible.

This Criminal Original Petition is disposed of with the above direction.

Sd/-
Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To :

1. The Superintendent of Police,
Thiruvannamalai District,
Thiruvannamalai.
2. The Inspector of Police,
All Women Police Station,
Thiruvannamalai District.
3. The Inspector of Police,
CBCID, Thiruvannamalai District.
4. The Public Prosecutor,
High Court, Madras.

1 cc to Mr.H.Rajesh & K.T.S. Sivakumar, Advocate, Sr. 66040

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