

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.2965 of 2015

K.Meena Murugan

.. Petitioner

Vs

1. The Union Territory of Puducherry,
Rep by, The Inspector General of Police,
Puducherry.

2. The Station House Officer,
CBCID Police,
Puducherry.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C.,
praying to issue direction to the respondent police to register the
complaint given by the petitioner dated 23.12.2014 and take
appropriate action against the said Ms.Malar Viji in accordance with
law.

For Petitioner : Mr.J.Suresh

For Respondents : Mr.Thangavel, APP (Pondy)

O R D E R

This Criminal Original Petition has been filed praying
praying to to issue direction to the respondent police to register
the complaint given by the petitioner dated 23.12.2014 and take
appropriate action against the said Ms.Malar Vizhi in accordance with
law.

2. Heard Mr.J.Suresh, learned counsel for the petitioner and
Mr.Thangavel, learned Additional Public Prosecutor(Pondy) appearing
for the respondents.

3. It is seen that on a complaint lodged by one Malarviji, the
respondent registered a case in Crime No.09/2014 for offences under
section 417 r/w 376,420,354-A, 506(i) IPC and Section 66-A of
Information Technology Act against Murugan and 5 others.

4. During the course of investigation, Murugan was arrested and later he was released on bail. The present petitioner is the wife of Murugan. According to this petitioner, the said Malarvizhi has lodged a false complaint against her husband. Based on fabricated documents, her husband was wrongly arrested by the police. In support of her allegations, the petitioner has given details regarding the deceit played by the said Malarvizhi which requires a thorough enquiry.

5. Learned Additional Public Prosecutor submits that the complaint dated 25.12.2014 that was given by the petitioner to the Inspector, Puducherry was forwarded to the CBCID, Puducherry and since there is no woman officer in the office of the CBCID they were finding it difficult to conduct the investigation. Therefore, the CBCID is contemplating of transferring the complaint dated 25.12.2014 given by the petitioner to All Women Police Station, Puducherry.

6. This court is of the view that since the complaint dated 25.12.2014 is intricately connected with the case in crime No.9/2014, it will be in the fitness of things that the CBCID itself enquires into this complaint and it will further complicate the matter, if the complaint is transferred to the All Women Police Station, Puducherry. The CBCID, Puducherry can requisition the services of woman officers from the local police station to assist them in the enquiry.

7. Hence, this court directs the CBCID to enquire into the complaint dated 25.12.2014 given by the petitioner and during the course of enquiry, if any cognizable offence is made out, a regular case shall be registered, following the decision laid down by the Hon'ble Supreme Court in Lalita Kumari Vs. Government of Uttarpradesh and Others reported in (2014) 2 SCC 1.

8. With the above observation, this petition is closed.

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s/d-

Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

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To

1. The Inspector General of Police,
Puducherry.
2. The Station House Officer,
CBCID Police,
Puducherry.

3. The Public Prosecutor,
Puducherry, High Court, Madras.

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