

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Cr1.O.P.No.30500 of 2015

B.P.Thangaveni ... Petitioner/Defacto complainant

Vs

1. The Commissioner of Police,
Office of the Commissioner of Police,
E.V.K.Sampath Salai,
Vepery, Chennai - 600 007.
2. The Additional Commissioner of Police,
(Law and Order North),
Office of the Commissioner of Police,
E.V.K.Sampath Salai,
Vepery, Chennai - 600 007.
3. The Deputy Commissioner of Police,
Ambattur Police District,
Avadi,
Chennai.
4. The Assistant Commissioner of Police,
Ambattur Range,
Ambttur,
Chennai.
5. The Inspector of Police,
W28, All Women Police Station,
Ambattur,
Chennai.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation pending on the file of the 5th respondent in Crime No.07/2015 to some other investigating agency and to direct to conduct further investigation under the supervision of the Assistant Commissioner of Police and to file the final report in accordance with law.

For Petitioner	:	Mr.H.Rajasekar
For respondents	:	Mr.C.Emalias, Addl.Public Prosecutor

O R D E R

The present petition has been filed to transfer the investigation pending on the file of the 5th respondent in Crime No.07/2015 to some other investigating agency and to direct to conduct further investigation under the supervision of the Assistant Commissioner of Police and to file the final report in accordance with law.

2. The petitioner herein lodged a complaint as against her husband and in-laws for the alleged offence of dowry harassment. The said case was registered under sections 498(A) and 406 IPC on 18.10.2015 by the 5th respondent. The 5th respondent has not conducted investigation properly and he has not recovered any jewels from the accused even though the 1st accused has given a written undertaking that he will return all the jewels at the 5th respondent police station. The 5th respondent has not taken any constructive action to recover the jewels from the accused. The petitioner and his family members are repeatedly going to the 5th respondent police to recover 80 sovereign of gold and silver articles. But the 5th respondent is not properly investigating the case. Hence, the petitioner has come forward with this petition.

3. Learned Additional Public Prosecutor submitted that the case was registered only on 18.10.2015. The case was registered not only under section 498-A IPC but also under section 406 IPC. Since the investigation is in progress, it is too early to ask for transfer of investigation. He also denied the allegation made by the petitioner that the 5th respondent is not properly investigating the case.

4. Consider the submissions made on either side and on perusing the entire affidavit, I find that no valid reason was assigned by the petitioner, warranting this Court to transfer the investigation in Crime No.07/2015 from the file of the 5th respondent to some other the investigating agency. Hence, I am not inclined to entertain this petition. Hence, the criminal original petition stands dismissed. However, the 5th respondent police is directed to expedite the investigation and file a final report as early as possible.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

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Vepery, Chennai - 600 007.
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(Law and Order North),
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Ambttur,
Chennai.
5. The Inspector of Police,
W28, All Women Police Station,
Ambattur, Chennai.
6. The Public Prosecutor,
High Court, Madras.

Cr1.O.P.No.30500 of 2015

sld(CO)
srg(18/01/2016)

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