

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP Nos.4055 and 4056 of 2015

S.MANJULA

[PETITIONER IN BOTH Crl.O.Ps]

Vs

1 STATE REP. BY
THE CHIEF SECRETARY TO THE GOVERNMENT
HOME DEPARTMENT
SECRETARIAT, ST. GEORGE FORT
CHENNAI - 9.

2 THE DIRECTOR GENERAL OF POLICE
MYLAPORE, CHENNAI - 4

3 THE DISTRICT SUPERINTENDENT OF POLICE
ARIYALUR, ARIYALUR DISTRICT.

4 MR.SIVARAJ
THE INSPECTOR OF POLICE
KAYALARPATH POLICE STATION
ARIYALUR.

5 MR.CHANDRAMOHAN
THE SUB-INSPECTOR OF POLICE
KAYALARPATH POLICE STATION
ARIYALUR.

[RESPONDENTS IN BOTH Crl.O.Ps]

Prayer in Crl.O.P.No.4055/2015:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct to the 3rd respondent to constitute some other officer or agency to further investigation in FIR No.181/14 dated 12.12.2014.

Prayer in Crl.O.P.No.4056/2015:-Criminal Original Petition filed under Section 482 Cr.P.C., to direct to the 3rd to 5th respondents to take necessary action against the accused in FIR No.181/14 dated 12.12.2014 in accordance with law

For Petitioner
For Respondents

:Mr.P.Murali
:Mr.C.Emalias,
Additional Public Prosecutor

COMMON ORDER

Seeking a direction to the third respondent police to constitute some other officer or agency to further investigation and to take necessary action against the accused in FIR No.181/14 dated 12.12.2014 in accordance with law, the petitioner has come up with these petitions.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent police.

3. It appears that the petitioner's daughter was abducted, pursuant to which a case in Crime No.181/2014 was registered for an offence punishable under section 366-A IPC. During the course of investigation, the police produced the victim for medical examination and in the medical examination report, Dr.Priya Sharan, who examined the victim, recorded that the patient attended the enquiry and her mother is not willing for virginity examination. The signature of the petitioner Manjula has been obtained by the Doctor in the next sheet. The same has been produced by the learned Additional Public Prosecutor before this Court and it was also shown to the learned counsel for the petitioner.

4. Therefore, the allegation that the investigation is proceeding in a very lethargic phase manner may not be correct. The learned counsel for the petitioner submitted that the petitioner is ready and willing to submit the victim for virginity examination. His submission is recorded.

5. The petitioner and her daughter are directed to appear before the fourth respondent police and cooperate with the investigation. The fourth respondent police is directed to expeditiously conduct the investigation of the case and take action in accordance with the law laid down by the Honourable Apex Court in Lalita Kumari vs. Govt. of U.P. & others [2013 (4) Crimes 243 (SC)]. The Deputy Superintendent of Police, Ariyalur, Ariyalur District is directed to monitor the investigation of the fourth respondent police.

6. These Criminal Original Petitions are disposed of with the above direction.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1 THE DEPUTY SUPERINTENDENT OF POLICE
ARIYALUR, ARIYALUR DISTRICT.
- 2 THE CHIEF SECRETARY TO THE GOVERNMENT
HOME DEPARTMENT
SECRETARIAT, ST. GEORGE FORT
CHENNAI - 9.
- 3 THE DIRECTOR GENERAL OF POLICE
MYLAPORE, CHENNAI - 4
- 4 THE DISTRICT SUPERINTENDENT OF POLICE
ARIYALUR, ARIYALUR DISTRICT.
- 5 MR.SIVARAJ
THE INSPECTOR OF POLICE
KAYALARPATH POLICE STATION
ARIYALUR.
- 6 MR.CHANDRAMOHAN
THE SUB-INSPECTOR OF POLICE
KAYALARPATH POLICE STATION
ARIYALUR.
- 7 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

1 cc to Mr.P.Murali ,Advocate, SR.No.23452

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ssi(co)
pmk.18.5.2015

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