

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 24.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CrI.OP No.5160 of 2015

and

M.P.No.1 of 2015

S.Dhanalakshmi

...Petitioner

Vs

1.State rep. By
The Inspector of Police,
W-1, All Women Police Station,
Thousand Lights, Greams Road,
Chennai - 600 006.
(Cr.No.4 of 2014).

2.The Inspector of Police,
All Women Police Station,
Panruti, Cuddalore District.

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to transfer investigation in respect of the complaint dated 19.05.2011 given by the petitioner herein to the first respondent police and later on registered in Cr.No.04 of 2014 for the offences under Sections 498(A), 406 & 506(i) I.P.C., from the file of the second respondent police to the file of the first respondent police to be monitored by the superior police officer in the rank of Assistant Commissioner of Police.

For Petitioner : Mr.C.S.Dhanasekaran

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

ORDER

Seeking to transfer investigation in respect of the complaint dated 19.05.2011 given by the petitioner herein to the first respondent police and later on registered in Cr.No.04 of 2014 for the offences under Sections 498(A), 406 & 506(i) I.P.C., from the file of the second respondent police to the file of the first

respondent police to be monitored by the superior police officer in the rank of Assistant Commissioner of Police, the petitioner has come up with this petition.

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

3.It is seen that the petitioner got married to one Dakshinamoorthy on 19.05.2010 and their marriage was a failure. The petitioner lodged a complaint on 19.05.2011 before the first respondent police and for a very long time, no action was taken on the same. Hence, the petitioner approached this Court and thereafter, a case in Crime No.4 of 2014 was registered on the basis of her complaint by the first respondent. Thereafter, the accused approached this Court in Crl.O.P.No.30342 of 2014 seeking anticipatory bail and this Court by order dated 14.11.2014, granted anticipatory bail to the accused.

4.The petitioner herein filed Crl.O.P.No.1710 of 2015 before this Court seeking direction to the respondent to file final report in respect of Crime No.4 of 2014 expeditiously. When the matter was taken up for hearing, it was represented that the case has been transferred to the file of the second respondent on 02.01.2015. Now, the petitioner is seeking transfer of the case from the file of the second respondent to the first respondent.

5.On a reading of the complaint, it appears that the most of the allegations had taken place within the jurisdiction of the first respondent. But, according to the learned Additional Public Prosecutor, the accused had got married for the second time and settled in Panruty and therefore, the case was transferred to the file of the second respondent.

6.This Court is of the view, that it will serve the interest of justice if, the case relating to Crime No.4 of 2014 is re-transferred from the file of the second respondent to the file of the first respondent.

7.In view of all the above, the case in Crime No.4 of 2014 is transferred from the file of the second respondent to the file of the first respondent. The second respondent is directed to hand over the case diary pertaining to Crime No.4 of 2014 to the first respondent. The Assistant Commissioner of Police, F.3 Nungambakkam Police Station, Chennai, shall personally monitor the said case.

8.With the above directions, the Criminal Original Petition is ordered accordingly. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Assistant Commissioner of Police,
F.3 Nungambakkam Police Station,
Chennai.

2.The Inspector of Police,
W-1, All Women Police Station,
Thousand Lights, Grems Road,
Chennai - 600 006.
(Cr.No.4 of 2014).

3.The Inspector of Police,
All Women Police Station,
Panruti, Cuddalore District.

4.The Public Prosecutor,
High Court, Madras.

1 CC to Mr.C.S.Dhanasekaran, Advocate SR.No. 22806

सत्यमेव जयते

Cr1.OP No.5160 of 2015

BVR (CO)

PSI (08.05.2015)

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