



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

Crl.O.P. (MD) Nos.13153 & 13568 of 2015

WEB COPY

In Crl.O.P. (MD) .No.13153 of 2015:

Shanmugathammal

... Petitioner

Vs.

State rep. by

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The District Collector,
Tirunelveli District.
3. The Deputy Superintendent of Police,
Valliyoor, Tirunelveli District.
4. The Inspector of Police,
Radhapuram Police Station, Tirunelveli.
5. The Inspector of Police,
All Women Police Station,
Valliyoor, Tirunelveli.
6. The Inspector of Police,
Valliyoor Police Station,
Valliyoor, Tirunelveli.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the all the respondents not to harass the petitioner and her son Raja and family members by summoning them under the guise of enquiry and foist false cases in order to clamp detention order, otherwise than in manner known to law.

In Crl.O.P. (MD) .No.13568 of 2015:

Shanmugathammal

... Petitioner

Vs.

1. State rep. by
The Inspector of Police,
Radhapuram Police Station, Tirunelveli.
2. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
3. The Deputy Superintendent of Police,
CBCID Wing, Tirunelveli District, Tirunelveli.



4.The Additional Director General of Police,
CBCID, Block No.3,
1st Floor, Electronic Complex,
Sidco Gundi, Chennai.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct withdraw the case in Crime No.148 of 2011 pending on the file of the 1st respondent herein and entrust the same to third respondent and also direct the fourth respondent monitor the same effectively and file final report in accordance with law.

For Petitioner in both cases : Mr.N.Mohideen Basha

For Respondents in both cases : Mr.K.Anbarasan

Government Advocate (Crl.side)

C O M M O N O R D E R

The Crl.O.P.(MD).No.13568 of 2015 has been filed, seeking transfer of investigation in Crime No.148 of 2011 pending on the file of the first respondent, and seeking a direction to all the respondents not to harass the petitioner and his family members in Crime No.148 of 2011, Crl.O.P.(MD).No.13153 of 2015 has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents and perused the materials available on record.

3. When the matter is taken up for hearing today, the learned counsel for the petitioner submitted that the petitioner is the defacto complainant in Crime No.148 of 2011. He further submitted that instead of finding out the culprit, the petitioner and his family members are harassed by the respondents under the guise of enquiry.

4. The learned Government Advocate (Crl. Side) would submit that no such harassment made against the petitioners. Recording the said submission, Crl.O.P.(MD).No.13153 of 2015 is closed with a direction to the respondents that the petitioners shall not be harassed.

5. Though the complaint has been registered in the year 2011, more than four years have elapsed, no progress has been made. Therefore a direction is issued to the Superintendent of Police, Tirunelveli/Respondent No.2 in Crl.O.P.(MD).No.13568 of 2015 to transfer the investigation from the file of the Inspector of Police, Radhapuram Police Station, Tirunelveli/first respondent in Crl.O.P.(MD).No.13568 of 2015, to any other officer under his control and jurisdiction. Further investigation will have to be done under the supervision and monitoring of the Superintendent of Police, Tirunelveli.

6. Accordingly, Crl.O.P.(MD).No.13568 of 2015, disposed of with the above direction.

Sd/-

Assistant Registrar (Writs)



To

1. The District Collector, Tirunelveli District.

2. The Additional Director General of Police,
CBCID, Block No.3, 1st Floor, Electronic Complex,
Sidco Gundi, Chennai.

3. The Superintendent of Police, Tirunelveli District, Tirunelveli.

4. The Deputy Superintendent of Police, Valliyoor, Tirunelveli District.

5. The Deputy Superintendent of Police, CBCID Wing,
Tirunelveli District, Tirunelveli.

6. The Inspector of Police, Radhapuram Police Station, Tirunelveli.

7. The Inspector of Police, All Women Police Station, Valliyoor,
Tirunelveli.

8. The Inspector of Police, Valliyoor Police Station, Valliyoor,
Tirunelveli.

9. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+2ccs to MR.N.MOHIDEEN BASHA, Advocate in SR.No. 39907 & 39908

Pjl

SR : 05.08.2015 : 3p/12c

CrI.O.P. (MD) Nos.13153 & 13568 of 2015
21.07.2015