



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2015

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

CRL.O.P. (MD) .No.21258 of 2015

Sadasivan : Petitioner

Vs.

1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

2.The Inspector of Police,
Kulasekaram Police Station,
Kulasekaram,
Kanyakumari District.

: Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the first respondent police to transfer the investigation in the petitioner complaint in petition No. 626/15 dated 21.10.2015 from the second respondent police to any other independent agency as directed by this Court and further directed to completely the investigation within the time stipulated by this Court and pass such further or other orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.M.P.Senthil

For Respondents : Mr.A.P.Balasubramani

Government Advocate (Criminal Side)

ORDER

The petitioner has come forward with this petition under Section 482 of Code of Criminal Procedure, seeking a direction to the first respondent police to transfer the investigation in the petitioner complaint in petition No.626/15 dated 21.10.2015 from the second respondent police to any other independent agency as directed by this Court and further directed to complete the investigation within the time stipulated by this Court.

2.The case of the petitioner is that the petitioner has a daughter named Priya, who is aged about 27 years and the marriage between the said Priya and one Jeyakumar was performed on 03.06.2008. Out of their wedlock, they were blessed with one male



child aged 6 years and the petitioner's son-in-law is serving in Indian National Army and therefore, the petitioner's daughter is residing along with her son. On 19.10.2015, the petitioner's daughter left the home at 10.00a.m to the computer coaching centre, however, she did not return in the evening and the petitioner and his relatives searched his daughter but they could not able to find out. Hence, the petitioner preferred a complaint before the second respondent police on the same day, for which, the second respondent police issued C.S.R. Receipt No.626 of 2015 and however, no effective steps had been taken by the second respondent police to find out the petitioner's daughter. The petitioner preferred a detailed representation to the first respondent police on 23.10.2015 but, absolutely there is no response on the side of the respondents. In this background, the petitioner seeks transfer of investigation from the second respondent police to any other independent agency.

3. The learned Government Advocate (Crl.side) would submit that two complaints have been lodged and one was given by the father and another complaint was given by the father-in-law. On the basis of the complaint given by the father-in-law, FIR has been registered on 04.11.2015 in Crime No.504 of 2015 for 'woman missing'. She would further submit that enquiry is going on a proper direction and a special team has been constituted to trace out the missing woman.

4. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl.side) appearing for the respondents.

5. In view of the submission made by both sides, it is seen that the incident is said to have been taken place on 19.10.20105 and FIR has been registered on 04.11.2015 and it is stated on behalf of the respondents that a special team has been constituted to trace the missing woman. In view of the above facts, this Court is of the view that it is too early for the petitioner to seek such relief.

6. In the result, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar



To

1. The Superintendent of Police,
Kanyakumari District, Nagercoil.
2. The Inspector of Police,
Kulasekaram Police Station,
Kulasekaram, Kanyakumari District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO M/S.M.P.SENTHIL, ADVOCATE IN SR NO. 65167

CM

TE/SK-SKN/ : 26/11/2015 : 3P/5C

Order made in
CRL.O.P. (MD) .No.21258 of 2015
Dated:-
05.11.2015