



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH

Crl.O.P.(MD)No.8346 of 2015
and
M.P.(MD).No.1 of 2015

Muniyandi

... Petitioner/Defacto Complainant
Vs.

1. The Superintendent of Police,
Dindigul District,
Dindigul.

2. The Inspector of Police,
Eriyodu Police Station,
Eriyodu,
Dindigul District.
In Crime No.82 of 2013

3.The Inspector of Police,
CBCID Wing,
Dindigul District,
Dindigul.

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, praying to transfer the investigation in Crime No.82 of 2013 on the file of the second respondent to the third respondent for investigation and further direct the third respondent police to conduct the investigation and file charge sheet within the stipulated period fixed by this court.

For Petitioner : Mr.S.M.Anantha Murugan

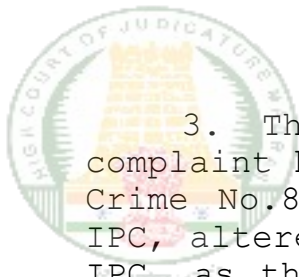
For Respondents : Mr.K.Anbarasan

Government Advocate (Crl. Side)

O R D E R

Seeking to transfer the investigation in Crime No.82 of 2013 from the file of the second respondent to third respondent, the present petition has been filed.

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



3. The petitioner is the father of the victim girl. The complaint has been given on 03.04.2013 and it has been registered in Crime No.82 of 2013 for the alleged offence under Section 363 of IPC, altered to 366 of IPC, thereafter, it was altered to 366 (A) of IPC, as the victim girl was minor. After the 164 Cr.P.C. statement of the girl was recorded on 07.04.2014, the case was altered to 376 of IPC on 01.12.2014 by the respondent police in Crime No.82 of 2013.

4. The girl was also sent for medical examination. When the learned Government Advocate (Crl. Side) submitted that the investigation is over and awaiting only for the report of the medical examiner.

5. Considering the above said submission of the learned Government Advocate (Crl. Side), a direction is issued to the second respondent to file a Final Report in Crime No.82 of 2013, within a period of two months from the date of receipt of a copy of this order. The second respondent shall make all possible steps to get the medical report at the earliest, since the investigation is pending for more than two years.

6. As and when the Final Report is filed, the District Munsif cum Judicial Magistrate Court No.I, Vendasandur is directed to take proper steps to take the Final Report on file by taking into consideration of the delay which has occurred already. The said exercise of taking cognizance will have to be done within a period of four weeks from the date of receipt of the Final Report.

7. This Criminal Original Petition is disposed of with the above direction. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(AE)

/True Copy/

To Sub-Assistant Registrar
1.The District Munsif cum Judicial Magistrate No.I,Vendasandur
2. The Superintendent of Police, Dindigul District,
Dindigul.
3. The Inspector of Police, Eriyodu Police Station,
Eriyodu, Dindigul District. In Crime No.82 of 2013
4.The Inspector of Police, CBCID Wing, Dindigul District,
Dindigul.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
Copy to: The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai
+One cc to Mr.S.M.Anandamurugan,Advocate, SR.No.41242

PJL

RL/8c - 6/8/2015

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<https://hcservices.ecourts.gov.in/hcservices/>

and

M.P.(MD).No.1 of 2015



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