

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.1153 of 2016

M.Shanthi

... Petitioner

Vs

State By

1. The Superintendent of Police,
The Nilgiris District at Ooty.
2. The Inspector of Police,
Gudalur Police Station,
Gudalur, The Nilgiris District.
3. The Inspector of Police,
CBCID, Ooty,
The Nilgiris District.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to direct the first respondent to transfer the investigation in Crime No.13 of 2015 from the file of the Inspector of Police, Gudalur Police Station, Gudalur, The Nilgiris District, the second respondent herein to the file of the Inspector of Police, CBCID, Ooty, the Nilgiris District, the third respondent herein.

For Petitioner : Mr.C.Prakasam

For respondents : Mr.C.Emalias,
Addl.Public Prosecutor.

ORDER

The present criminal original petition has been filed seeking a direction to the first respondent to transfer the investigation of the case in Crime No.13 of 2015 pending on the file of the second respondent herein to the file of the third respondent herein.

2. It is the case of the petitioner that the marriage between her daughter Preethi @ Easwari and one Johnson Vinoth (A.1) was solemnized on 23.4.2014. After marriage, the said

Johnson Vinoth, his mother and brother tortured the petitioner's daughter demanding more dowry and had severely beaten her. Due to the torture given by them, her daughter committed suicide by consuming poison. Hence, the petitioner lodged a complaint before the second respondent police on 6.1.2015 and the same was registered in Crime No.13 of 2015 under Section 174 Cr.P.C. Thereafter, the second respondent did not proceed with the matter further. Moreover, the accused persons are frequently meeting the second respondent police and the second respondent police is helping them. Hence, the petitioner has come up with the present petition seeking a direction to the first respondent to transfer the case from the file of second respondent to the file of third respondent.

3. Today, when the matter was taken up for consideration, learned Additional Public Prosecutor submitted that now, the offence was altered into one under Sections 498(A) and 304(B) I.P.C. and the case is under investigation.

4. In view of the said submission made by the learned Additional Public Prosecutor, I am of the opinion, there is no need to transfer the case from the file of the second respondent to the file of the third respondent. However, the second respondent police is directed to expedite the investigation of the case in Crime No.13 of 2015 and file final report as early as possible. The criminal original petition is disposed of accordingly.

sbi

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
The Nilgiris District at Ooty.
2. The Inspector of Police,
Gudalur Police Station,
Gudalur, The Nilgiris District.
3. The Inspector of Police,
CBCID, Ooty, The Nilgiris District.
4. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.C.Prakasam, Advocate, SR.3746 (6/5/16)

bvr (co)



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