

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.15575 of 2016

R.Reena

... Petitioner

Vs

1.State Rep. By
The Superintendant of Police,
Dharmapuri District,
Dharmapuri.

2.The Inspector of Police
Kadathur Police Station
Dharmapuri District.

... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 2nd respondent to investigate the case and file a final report in crime No.5 of 2016 before the competent Court.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition has been filed to direct the 2nd respondent to investigate the case and file a final report in crime No.5 of 2016 before the competent Court.

2. Today, when the matter was taken up for hearing, learned Additional Public Prosecutor submitted that one Dimithra, a mentally challenged lady aged about 20 years was sexually abused by one Vasanthakumar in connection with, which the respondent police registered a case in crime No.11 of 2015 and after completing the investigation, has filed a final report in Special SC.No.80 of 2015 before the Juvenile Justice Board, Dharmapuri against Vasanthakumar and trial is in progress. In that prosecution, one of the witnesses is one

Satish Kumar, who is brother of Dimithra. While so, the family members of Vasanthakumar wanted to settle the issue outside the Court with Dimithra family to which, the latter did not agree. In SC.No.80 of 2015, about twelve witnesses have been examined. While so, in order to scuttle trial in SC.No.80 of 2015, Reena, the sister of Vasanthakumar has lodged a complaint against Satish Kumar, the brother of Dimithra alleging that he attempted to ravish her.

3. On the complaint given by Reena, the respondent police have registered a case in crime No.5 of 2016 and at this juncture, Reena is before this Court to direct the respondent police to complete the investigation in Crime No.5 of 2016 expeditiously and file a final report.

4. In a case of this nature, a direction as prayed for by the petitioner cannot be given, as it appears that the prosecution in Crime No.5 of 2016 is a counter blast to stifle the prosecution of Vasanthakumar in Special SC.No.80 of 2015.

5. Learned Additional Public Prosecutor submitted that initially the case in Crime No.5 of 2016 was registered by the Inspector of Police, Kadathur, the 2nd respondent and now the investigation is being conducted by the Inspector of Police, All Women Police Station, Harur.

6. Under such circumstances, no positive direction can be given to the respondent police to complete the investigation as prayed for by the petitioner. The Deputy Superintendent of Police, Dharmapuri is directed to supervise the investigation in Crime No.5 of 2016 on the file of the Inspector of Police, All Women Police Station, Harur and ensure that no false case is foisted against anyone.

With the above direction, this petition is closed.

Sd/-

Assistant Registrar(CS VII)

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Sub Assistant Registrar

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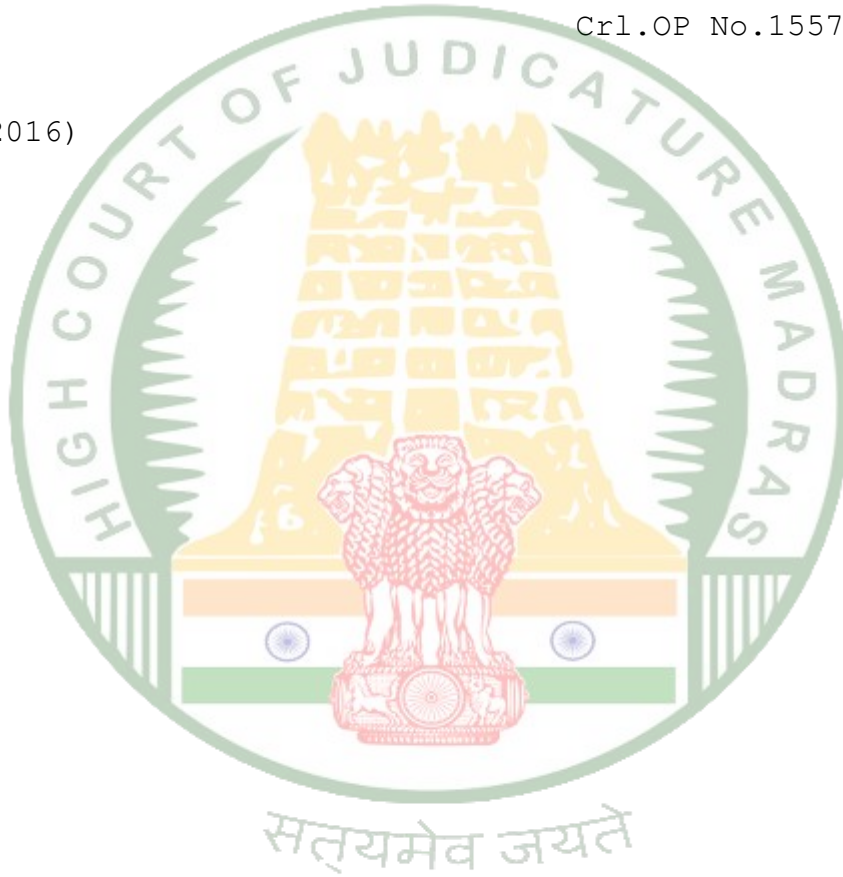
1.The Superintendant of Police,
Dharmapuri District,
Dharmapuri.

2.The Deputy Superintendent of Police,
Dharmapuri District, Dharmapuri.

- 3.The Inspector of Police
Kadathur Police Station
Dharmapuri District.
- 4.The Inspector of Police,
All Women Police Station,
Harur.
- 5.The Public Prosecutor,
High Court, Madras.

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RK(CO)
CA(19/09/2016)



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