

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Crl.O.P.No.31243 of 2013

Amulu

... Petitioner

Vs

The State, rep. by
The Inspector of Police,
B2, Tiruvallur Taluk Police Station,
Tiruvallur District,
Tamil Nadu.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer investigation into Crime No.443 of 2012 on the file of the respondent police to the CB-CID or any other suitable agency, as this Court may deem fit in the facts and circumstances of the case and to direct completion of investigation in a time bound manner.

For Petitioner : Mr.Joseph Georgemayiladumpara

For respondent : Mr.C.Emalias,
Additional Public Prosecutor

ORDER

The present criminal original petition has been filed to transfer investigation of the case in Crime No.443 of 2012 pending on the file of the respondent police to the CB-CID or any other suitable agency, as this Court may deem it fit in the facts and circumstances of the case and to direct completion of investigation in a time bound manner.

2. It is the case of the petitioner that she is running a small shop and in the said shop, she is selling cool drinks, snacks and other items of daily use in Tirupachur Village along with her husband. During the first week of November, 2012, while she was in her shop, a fight arose between two groups in front of her shop. Hence, the petitioner shut her shop and did

not allow the persons to pick up bottles from her shop. While so, on 10.11.2012, one of the groups consisting of one Yuvaraj and others came to her shop with deadly weapons and broke up the soft drink bottles and attacked her with iron rod, due to which her right thump was crushed. Immediately, she rushed to the Tiruvallur Government Hospital and took treatment. Thereafter, she lodged a complaint with the respondent police on 15.11.2012. On the basis of the complaint, a case was registered in Crime No.443 of 2012 for the alleged offence punishable under Sections 336, 324, 427 and 506(i) I.P.C. Later, on a perusal of the FIR, it was found that the names of the accused persons, viz., Karunakaran, Kalidas and Gopi, who were also involved in the offence, were not mentioned in the FIR. Further, though the petitioner sustained severe crush injury on her right thump, in the FIR, it has been stated that she sustained only minor injury. Further, the four persons named in the FIR have also not been arrested. In these circumstances, left with no other alternative, the petitioner approached this Court by filing the present petition to transfer the investigation of the case in Crime No.443 of 2012 pending on the file of the respondent police to the CB-CID or any other suitable agency.

3. I have heard the learned Additional Public Prosecutor.

4. The reason assigned by the petitioner for transfer of the case is not sufficient enough to transfer the investigation from the file of respondent police to some other investigating officer. However, this Court is of the opinion that an appropriate direction could be given to the respondent police to expedite the investigation under the supervision of Deputy Superintendent of Police, Tiruvallur.

5. Hence, the respondent police is directed to expedite the investigation in Crime No.443 of 2012 pending on his file and file final report as expeditiously as possible. The Deputy Superintendent of Police, Tiruvallur is directed to monitor the investigation of the case in Crime No.443 of 2012. The criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sbi

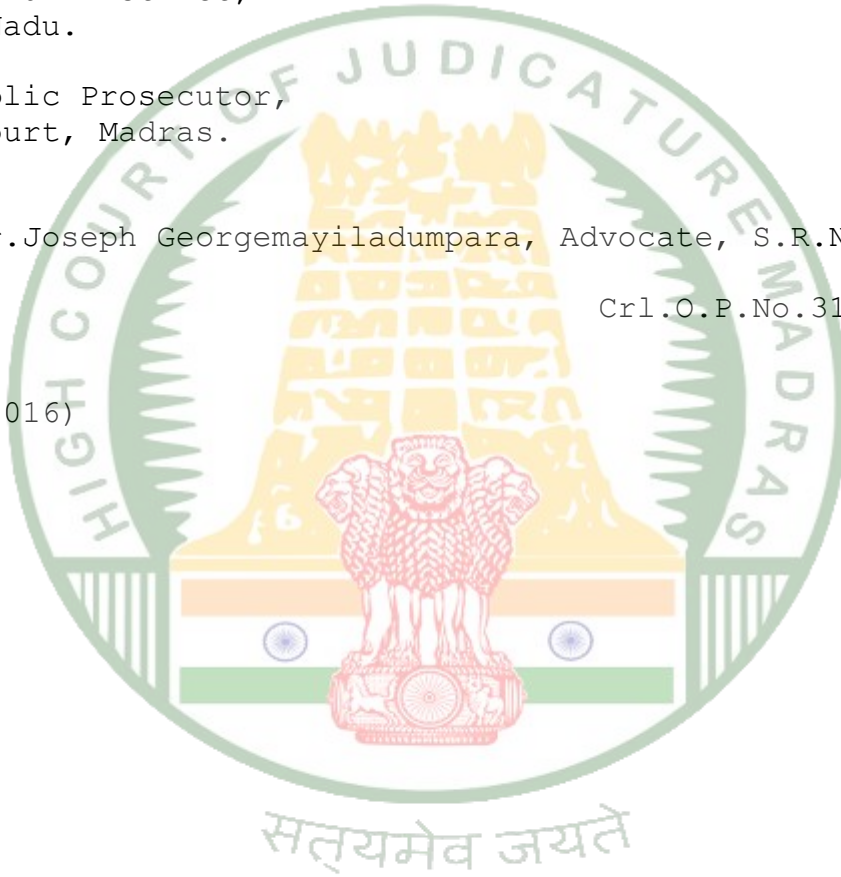
To

1. The Superintendent of Police,
Tiruvallur District.
2. The Deputy Superintendent of Police,
Tiruvallur District.
3. The Inspector of Police,
B2, Tiruvallur Taluk Police Station,
Tiruvallur District,
Tamil Nadu.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.Joseph Georgemayiladumpara, Advocate, S.R.No.3639

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PPA (CO)
CA (08/02/2016)



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