

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.19259 of 2016

B.Mumtha

.. Petitioner

Vs

1. The Assistant Commissioner of Police,
C-1, Flower Bazaar Police Station,
Chennai-600 079.
- 2.The State, Rep. by Sub Inspector of Police,
All Women Police Station,
C-1, Flower Bazaar Police Station,
Chennai-600 079.
- 3.The State, Rep. by Inspector of Police,
CBCID, Chennai. ..Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C. to issue direction directing the 1st respondent herein to withdraw the investigation in Crime No.3/2016 on the file of the 2nd respondent herein and to transfer the same to the 3rd respondent herein or to any other independent investigating agency to conduct thorough investigation in Crime No.3/2016 on the file of 2nd respondent police, in accordance with law.

For Petitioner : Mr.D.Balachandran
For Respondents : Mr.C.Emalias,
Addl.Public Prosecutor

O R D E R

This petition has been filed to issue direction to the 1st respondent herein to withdraw the investigation in Crime No.3/2016 on the file of the 2nd respondent herein and to transfer the same to the 3rd respondent herein or to any other

independent investigating agency to conduct thorough investigation in Crime No.3/2016 on the file of 2nd respondent police, in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. On the complaint lodged by the petitioner, the Inspector of Police, W10, Flower Bazaar All Women Police Station, registered a case in Crime No. 3 of 2016 on 13.07.2016 for offences under Sections 498(A) and 506(1) IPC against Vijay Maheswar, husband of the petitioner. During the pendency of the investigation, the petitioner has made allegations against the Investigating Officer and therefore, he has come up with this petition for transfer of the investigation to the CBCID.

4. It is seen that this case is essentially a matrimonial dispute and hence, the CBCID cannot be entrusted with the investigation. However, learned Additional Public Prosecutor submitted that the case has already been transferred from the file of the Inspector of Police, W10, Flower Bazaar, All Women Police Station, to the file of the Inspector of Police, W12, All Women Police Station, Harbour Range on 26.08.2016.

Recording the same, this petition is closed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

mk

To

1. The Assistant Commissioner of Police,
C-1, Flower Bazaar Police Station,
Chennai-600 079.

2. The Sub Inspector of Police,
All Women Police Station,
C-1, Flower Bazaar Police Station,
Chennai-600 079.

3. The Inspector of Police,
CBCID, Chennai.

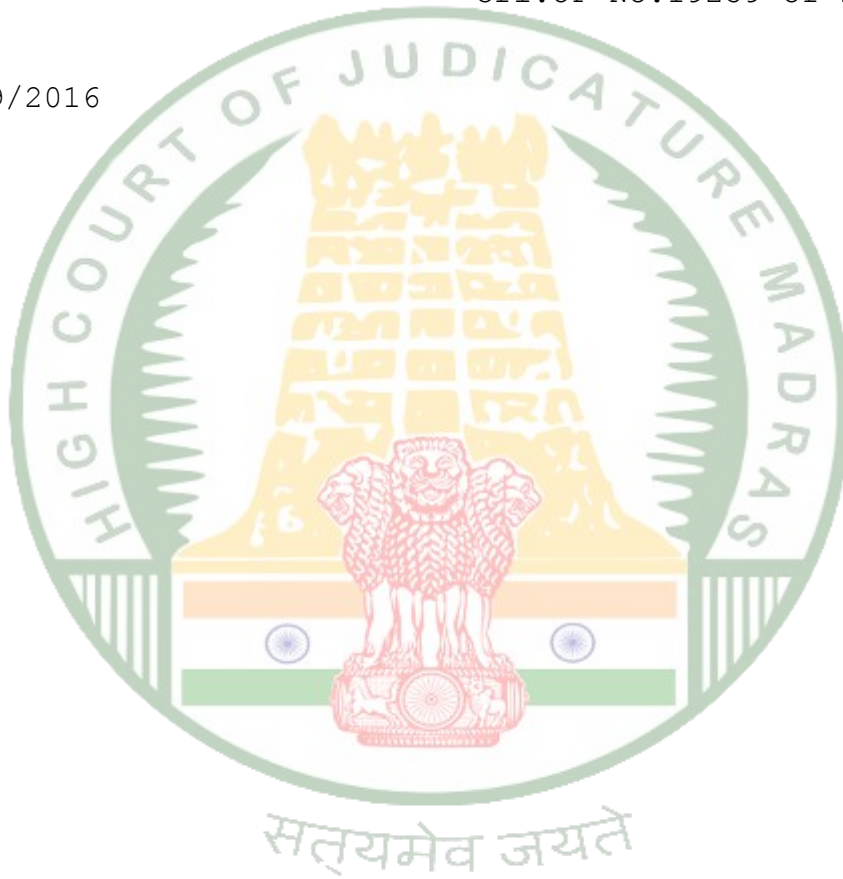
4 The Inspector of Police,
W12, All Women Police Station,
Harbour Range, Chennai

5. The Public Prosecutor,
High Court, Madras.

+1 CC to Mr.D. Balachandran, Advocate, Sr.49090

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NRJK (CO)
MD : 14/09/2016



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