

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.27 of 2016

Periyachennanaickkan

... Petitioner

Vs

The Inspector of Police,
All Women Police Station,
Bhavani,
Erode District,
Crime No.15 of 2015.

... Respondent

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation with respect of the Crime No.15/2015 pending on the file of the respondent to any other investigation agency and direct to proceed with investigation.

For Petitioner : Mr.R.Nalliyapan

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

O R D E R

This petition has been filed to transfer the investigation with respect of the Crime No.15/2015 pending on the file of the respondent to any other investigation agency and to direct to proceed with investigation.

2. The petitioner has submitted that the petitioner's daughter namely Revathi, aged about 13 year,s who is studying 9th standard at Government Girls Higher Secondary School, Mylambadi, was kidnapped by one Saravanan and others. Hence, a complaint was made by the petitioner with the respondent police on 15.12.2015. On receipt of the complaint of the petitioner, the respondent police has registered a case in Crime No. 15/2015 for the offence under section 366 IPC. But the respondent police has neither proceeded with the investigation nor taken any action to secure the minor daughter of the petitioner. In fact, all the accused are well available in the locality. However, the respondent herein is not taking any steps to arrest the accused. Since the respondent police is lethargic in conducting the

investigation, the petitioner has come forward with the present petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

4. Learned Additional Public Prosecutor submitted that it is incorrect to state that the respondent police is lethargic in investigating the case. They are seriously taking all efforts to secure the petitioner's daughter. Thus, he opposed the transfer of investigation.

5. Considering the submissions made on either side, I find that the petitioner has not made out any valid reason to transfer the investigation. Therefore, I am of the opinion that appropriate direction could be given to the respondent to expedite the investigation and to secure the minor daughter of the petitioner. Accordingly, the respondent police is directed to expedite the investigation in Crime No.15 of 2015 and secure the minor daughter of the petitioner herein and the Deputy Superintendent of Police, Bhavani, is directed to monitor the investigation and to complete the same as early as possible.

6. The criminal original petition is disposed of accordingly.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Bhavani

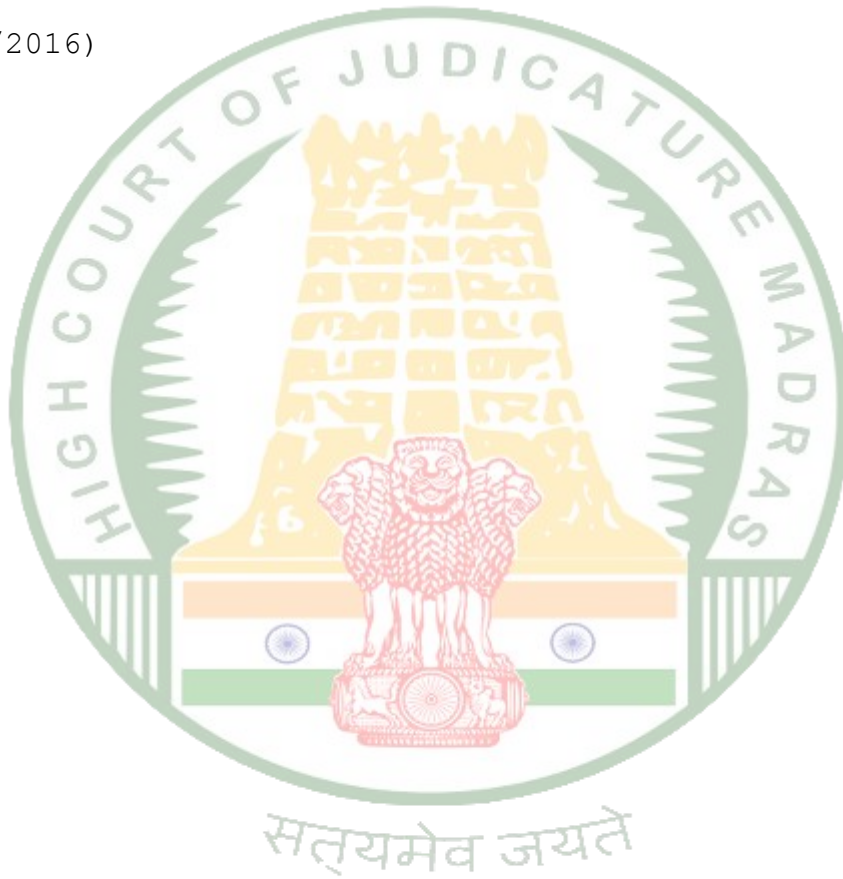
2. The Inspector of Police,
All Women Police Station,
Bhavani,
Erode District,
Crime No.15 of 2015.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Nalliyappan, Advocate, S.R.No.843

Cr1.O.P.No.27 of 2016

tej (CO)
srg (08/01/2016)



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