

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Cr1.O.P.No.4268 of 2016

B.Nithya
D/o.late Balakrishnan
Complainant

.. Petitioner/Defacto

Vs.

State Rep by
The Inspector of Police
All Women Police Station,
Ranipet
Vellore District
Crime No.1 of 2016 ... Respondent/Complainant

Prayer:

Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent police to transfer the investigation of the case in Crime No.1 of 2016 pending investigation with them to some other investigating agency, preferably CB-CID, Vellore District, Vellore.

For Petitioner : Mr.M.Duraimurugan

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

O R D E R

The petitioner, who is the defacto complainant has come forward with this petition seeking for a direction to the respondent police to transfer the investigation of the case in Crime No.1 of 2016 pending investigation with them to some other investigating agency, preferably CB-CID, Vellore District, Vellore.

2. Today both the spouses along with their respective counsels are present before this Court. Further, the mother of the petitioner and the parents of the proposed accused are also present.

3. It is the case of the petitioner that she has preferred a complaint against 5 persons. Since the father-in-law of the petitioner is working as S.S.I at Vyasarpadi Police Station, one Usha Rani, S.I of Police, All Women Police Station, Ranipet was favouring the accused and hence, the petitioner apprehends that the investigation by the first respondent Police will not be in a fair and proper manner. So, the petitioner has come forward with the present petition to transfer the investigation to the CB-CID, Vellore District, Vellore.

4. During the course of the argument, the learned counsel for the petitioner fairly conceded that the said Usha Rani, Sub-Inspector of Police, All Women Police Station, Ranipet who is alleged to have supported the accused was already transferred.

5. It is also pertinent to note that the case has been registered only on 08.01.2016 and the investigation is at the early stage. Hence, I am of the view that it would be premature to decide that the investigation is not in a proper direction. So, the Criminal Original Petition deserves to be dismissed as devoid of merits. However, the respondent is directed to investigate the matter and file a final report as expeditiously as possible.

6. In fine, the Criminal Original Petition stands dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police
All Women Police Station,
Ranipet, Vellore District

2.The Public Prosecutor
High Court, Chennai.

+ 1 cc to Mr.M.Duraimurgan, Advocate Sr.18189

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KJI(CO)
EU 07.04.16