

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.8877 of 2016

R.Sindhu

.. Petitioner

Vs

1.The State rep. by
Inspector of Police,
All Women Police Station,
Coimbatore District.

2.S.Rajeshkumar .. Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the Superintendent of Police, Coimbatore, to transfer the investigation pending on the file of the 1st respondent police in Crime No.44 of 2013 to any other independent agency or any other police station other than the respondent.

For Petitioner :Mr.J.Pothiraj

For Respondent [R1] :Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed, to direct the Superintendent of Police, Coimbatore, to transfer the investigation pending on the file of the 1st respondent police in Crime No.44 of 2013 to any other independent agency or any other police station other than the respondent.

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

3. On a complaint lodged by the petitioner, the respondent Police registered a case in Crime No.44 of 2013 for the offences under Sections 498(A), 406, 506(ii) I.P.C. against the second respondent. While so, the petitioner has filed the present application for transfer of investigation on the following ground:

" The petitioner herein states that though she made a representation to the Superintendent of Police, Coimbatore District, to change the investigation from the 1st respondent police to any other independent agency or any other police station to be monitored by a higher official, the Superintendent of Police, Coimbatore has not taken any steps and the 1st respondent herein, in total collusion with the petitioner's husband and family, is now trying to dilute the investigation and closed investigation itself without proper enquiry. Aggrieved by the attitude of the respondent, having no other alternative or effective remedy, the petitioner is approaching this Hon'ble Court to exercise its power under Section 482 of Cr.P.C. for a direction to the Superintendent of Police, Coimbatore District, to transfer the investigation from the 1st respondent police to any other independent agency or any other police station other than the respondent, to be monitored by a higher rank official. By issuing such a direction, no prejudice would be caused to the respondent."

4. This Court was made to believe that investigation in Crime No.44 of 2013 is still pending and therefore, this Court has directed the Inspector of Police, All Women Police Station, Perur, Coimbatore District, to be present before this Court. Today, Mrs.A.Indrani Sophia, Inspector of Police, All Women Police Station, Perur, Coimbatore District is present.

5. The learned Additional Public Prosecutor on instruction submits that investigation in Crime No.44 of 2013 was completed and final report was filed in C.C. No.25 of 2015 before the Additional Mahila Court, Coimbatore and two witnesses have been examined, including the petitioner and her mother.

6. Suppressing all this, this application has been filed as if Police have not taken any action. In the result, this Criminal Original Petition is dismissed with cost of Rs.5,000/- payable by the petitioner to the Tamil Nadu State Legal Services Authority.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ds

To:

1.The Inspector of Police,
All Women Police Station,
Coimbatore District.

2.The Public Prosecutor
High Court, Chennai.

Copy to:
The Secretary,
Tamilnadu Legal Services Authority,
Chennai.

1 cc to Mr.J.Pothiraj, Advocate, sr.33193

Cr1.OP No.8877 of 2016

lrs co
kra 14.07.2016



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