

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.06.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.No.8911 of 2016

Srinivasan

... Petitioner

Vs.

State Rep. By
The Inspector of Police,
G-9, Perunagar Police Station,
Kancheepuram District.
(Crime No.290 of 2015)

... Respondent

Petition filed under Section 482 Cr.P.C. seeking to transfer the investigation to CBCID, Kancheepuram.

For Petitioner : Mr.M.Mohamed Hasai

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

O R D E R

It is the case of the petitioner that his daughter X, a minor girl, was subjected to sexual abuse by one Srinivasan and that she delivered a child on 28.09.2015.

2. On a complaint lodged by the petitioner, the respondent Police registered a case in Cr.No.290 of 2015 for the offence under Section 4 of POCSO Act and Sections 294 (b) and 506(i) IPC against Srinivasan, who was arrested by Police and has now been released on bail.

3. It is the grievance of the petitioner that the investigation is not going on a right line and therefore, he sought for transfer of the same to any Specialized Agency.

4. This Court perused the case diary.

5. Statement of the victim girl has been recorded under Section 164 Cr.P.C. and she has also been subjected to medical examination.

6. It is the further grievance of the petitioner that the Police have not taken any steps to have the DNA Profiling done between the accused and child. A copy of the statement recorded under Section 164 Cr.P.C. is not available in the case diary.

7. In a case of this nature, it would be sufficient, if the victim girl gives evidence with general corroboration from other sources. Under such circumstances, this Court is of the view, it is not a fit case to transfer the investigation to any other agency. Under such circumstances, this Court, in the interest of justice, directs the Deputy Superintendent of Police, Madhuranthagam, to supervise the investigation in Cr.No.290 of 2015. The Inspector of Police, Uthiramerur, is directed to proceed with the investigation of the case by taking steps to have the DNA Profiling of the accused and child done by moving the jurisdictional Court. If the accused does not co-operate with the DNA Profiling, it is open to the Police to move an application for cancellation of his bail.

8. With the above direction, this Criminal Original Petition is closed.

s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Inspector of Police,
G-9, Perunagar Police Station,
Kancheepuram District.
2. The Deputy Superintendent of Police,
Madhuranthagam.
3. The Public Prosecutor,
High Court, Chennai.
4. The Inspector of Police,
Uthiramerur Police Station,
Uthiramerur.

+ 1 cc to Mr.Mohamed Hasain, Advocate SR 29281

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