



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2016

WEB COPY

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

Cr1.O.P.(MD)No.15867 of 2016

Luxmi Soundranayagam

.. Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.

(Crime No.345 of 2015)

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to transfer the investigation in Cr.No.345 of 2016 pending on the file of the 2nd respondent police to any other competent police officer under the jurisdiction of the 1st respondent police.

For Petitioner
For Respondents

: Mr.K.Govindarajan
: Mr.A.P.Balasubramani,
Government Advocate.
(Criminal Side)

ORDER

It is an application, seeking transfer of investigation in Crime No.345 of 2016 pending on the file of the second respondent police to any other competent police officer.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Cr1.Side) appearing for the respondents.

3.The learned counsel appearing for the petitioner has raised the following grounds to transfer the investigation of the case:

(i)Even though the complaint discloses cognizable offence under Section 328 IPC, case was not registered immediately and the petitioner approaching the first respondent, the second respondent has registered the case.



(ii)The second respondent did not send the juice (allegedly containing intoxicating material) given to the petitioner's mother for forensic analysis to find out the truth.

(iii)The accused and other witnesses who are overseas citizens and in respect of whom, there is a language barrier to communicate with the second respondent.

4.Under such circumstances, without expressing any opinion on the merits of the matter, the investigation in Crime No.345 of 2016 is ordered to be transferred to the file of the Additional Deputy Superintendant of Police, Dindigul District, Kodaikanal Sub Division, which shall be monitored by the Additional Superintendant of Police, Dindigul District.

5.The petition is ordered accordingly.

Sd/-
Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Kodaikanal Police Station,
Dindigul District.

3.The Additional Deputy Superintendant of Police,
Dindigul district, Kodaikanal Sub Division.

4.The Additional Superintendant of Police,
Dindigul District.

5.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

+One cc to Mr.K.Govindarajan, Advocate, SR.No.48308

mj
RL/7C/2P/DB/SARI/19/9/2016