



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P. (MD) No.17616 of 2017

R.Ahila

... Petitioner

-Vs-

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2. The Deputy Superintendent of Police,
Tenkasi, Tirunelveli District.

3. The Inspector of Police,
Tenkasi Police Station,
Tenkasi, Tirunelveli District.

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to issue a direction to the first respondent to transfer the investigation of the case in Cr.No.513 of 2017 on the file of the third respondent to the second respondent within a period stipulated by this Court.

For Petitioner : Mr.M.Mohamed Sherbudeen
For Respondents : Mr.K.S.Duraipandian,
Additional Public Prosecutor

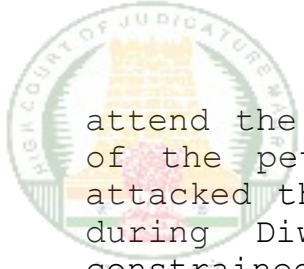
O R D E R

This Criminal Original Petition is filed to direct the first respondent to transfer the investigation of the case in Cr.No.513 of 2017 on the file of the third respondent to the second respondent.

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

3.The petitioner states that she is the defacto complainant in Cr.No.513 of 2017 pending on the file of the third respondent. The petitioner was completed nursing course and states that she fell in love with one Sathish, who had relationship with her for more than three years.

4.The case of the petitioner is that the said Sathish got the job in CRPF and left the petitioner and avoided the petitioner to



attend the phone call and other communication. It is also the case of the petitioner that the said Sathish and his family members attacked the petitioner when she went to the house of said Sathish during Diwali. The petitioner states that she was therefore constrained to give the complaint as against the individual for offences under Sections 323, 324, 306 and 511 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Woman Act. Since the third respondent has not taken any action, the petitioner alleging that the third respondent has not arrested the main accused namely Sathish, the petition has been filed.

5.Except stating that the third respondent has failed to arrest the accused in connection with the criminal complaint, no other allegation is made. Having regard to the nature of the relationship, this Court is not inclined to entertain this petition. However, this Court is inclined to direct the third respondent to file a final report within a specific time.

6.In the result, the third respondent is directed to expedite the investigation and to file a final report within a period of three months from the date of receipt of a copy of this order.

7.With the above direction, the Criminal Original Petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Deputy Superintendent of Police,
Tenkasi, Tirunelveli District.
3. The Inspector of Police,
Tenkasi Police Station,
Tenkasi, Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+ 1 CC TO Mr.M.MOHAMED SHERBUDEEN, ADVOCATE IN SR No. 94047

AM

TE/JC/SAR-4 : 09/01/2018 : 2P/6C

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