



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 21.03.2017

CORAM:
THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.O.P.(MD)No.2744 of 2017

WEB COPY

G.Athilakshmi : Petitioner

-Vs-

- 1.The State rep. by,
Superintendent of Police,
Thoothukudi District.
- 2.The Inspector of Police,
Ettayapuram Police Station,
Ettayapuram,
Thoothukudi District.
(Crime No.39 of 2017).
- 3.The Special Sub-Inspector of Police,
Ettayapuram Police Station,
Ettayapuram,
Thoothukudi District.
- 4.Ramaiah

5.Marimuthu

6.Mareeswaran : Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the first respondent herein to change the Investigation Officer in Crime No.39 of 2017 on the file of the second respondent herein other than the respondents 4 and 5.

For Petitioner : Mr.D.Srinivasa Ragavan

For Respondents 1to3 : Mr.A.P.Balasubramani,
Government Advocate (Crl.side)

O R D E R

On the complaint lodged by one Karuppasamy, the respondent police registered a case in Crime No.39 of 2017, on 22.01.2017, for offences under Sections 147, 148, 294(b), 323, 506(2) of the Indian Penal Code and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against Karuppasamy and seven others including the petitioner herein, viz., Athilakshmi, who has been shown as Accused No.6. Now, the petitioner/Accused No.6 is before this Court for



change of the Investigating Officer in Crime No.39 of 2017, by making allegations against the police.

2. In the considered opinion of this Court, the prayer of the petitioner cannot be conceded under Section 482 of the Code of Criminal Procedure, especially, in the light of the fact that the petitioner herself is an accused. That apart, it is seen that two accused have been arrested and the other accused including the petitioner herein have been granted anticipatory bail by this Court.

3. Under such circumstances, this Criminal Original Petition is devoid of merits and accordingly, the same is dismissed.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

1.The Superintendent of Police,
Thoothukudi District.

2.The Inspector of Police,
Ettayapuram Police Station,
Ettayapuram,
Thoothukudi District.

3.The Special Sub-Inspector of Police,
Ettayapuram Police Station,
Ettayapuram,
Thoothukudi District.

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

+1 CC TO MR.D.SRINIVASA RAGAVAN,ADVOCATE,SR NO.16125

SML

MAS/SV-MMS:04.042017:2P-6C

Order made in
CRL.O.P. (MD)No.2744 of 2017
Dated: 21.03.2017