



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2017

CORAM

THE HON'BLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.5225 of 2017

and Crl.M.P(MD)No.3685 /2017

WEB COPY

1.Tamilarasi

2.Mahalakshmi

... Petitioners/Accused 1,2

-vs-

1.State represented by

The Inspector of Police

Tallakulam Police Station,

Madurai City

in Crime No.31/2017

...1st Respondent/Complainant

2.Lakshmi

...2nd Respondent/

Defacto Complainant

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to call for the records in Cr.No.31 of 2017 on the file of the 1st respondent police and quash the same.

For Petitioners : Mr.T.A.Ebenezer

For Respondent 1 : Mr.A.P.Balasubramani

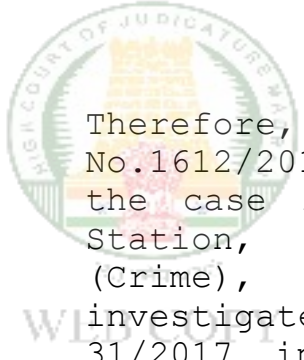
Govt. Advocate (Crl.Side)

O R D E R

It is seen that on the complaint given by Mahalakshmi, Thilagar Thidal Police has registered a case in Crime No.1612/2016 on 29.12.2016 for offence under Section 420 IPC against Arumugam, Pitchaivel and Manimala and in that FIR, there is a reference to one Prabhu, who is the son of Lakshmi. On the complaint given by Lakshmi, Tallakulam Police Station registered a case in Crime No.31/2017 on 05.01.2017 for offence under Section 420 IPC against Tamilarasi and Mahalakshmi, challenging which, Tamilarasi and Mahalakshmi are before this Court with this petition for quashing the FIR in Crime No.31/2017 contending that Lakshmi has initiated a false prosecution against them.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. side) for the Respondent No.1.

3.In the considered opinion of this Court, it will be in the interest of justice, if both crime Nos.1612/2016 and 31/2017 be investigated by one officer, so that it will be easier for the police to come to a decision as to, who is speaking the truth.



Therefore, this Court directs the transfer of the cases in Crime No.1612/2016 on the file of the Thilagar Thidal Police Station and the case in Crime No.31/2017 on the file of Tallakulam Police Station, to the file of the Assistant Commissioner of Police (Crime), Tallakulam Sub Division, Madurai City, who shall investigate both the cases, namely, Crime Nos.1612/2016 and 31/2017 in an unbiased manner and if it is found that the petitioners are innocent, it is needless to state that the FIR against them should be closed. The Inspector of Police, Thilagar Thidal Police Station and the Inspector of Police, Tallakulam Police Station are directed to hand over the case diary in Crime Nos.1612/2016 and 31/2017 respectively to Assistant Commissioner of Police (Crime), Tallakulam Sub Division, Madurai City within two weeks from the date of receipt of a copy of this order.

With the above direction, this petition is closed. Consequently connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To:

1.The Assistant Commissioner of Police
(Crime) Tallakulam Sub Division,
Madurai City.

2.The Inspector of Police
Tallakulam Police Station,
Madurai District

3.The Inspector of Police,
Thilagar Thidal Police Station,
Madurai.

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

+1 CC to MR.T.A.EBENEZER, Advocate, SR No.54495

RR

PSM/RSK/15.05.2017/2P/6C

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