

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.09.2018

CORAM

THE HONOURABLE Mr. JUSTICE P.N.PRAKASH

Crl.O.P.No.21475 of 2018

R.Renuka Devi

...Petitioner

Vs

1. The Inspector General of Police,
State of Tamil Nadu,
Chennai.
 2. The Inspector of Police,
W-29, All Women Police Station,
Avadi, Chennai - 54.
 3. The Inspector of Police,
All Women Police Station,
Karaikudi, Sivagangai District.
- ...Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation pending on the file of the third respondent in Crime No.6 of 2018 to the file of the second respondent or any other competent agency for the purpose of investigation the same according to law.

For Petitioner: Mr.V.Paarthiban

For Respondents: Mr.C.Raghavan

Government Advocate (Crl. Side)

O R D E R

The petitioner/de facto complainant got married to one Ilayaraja on 07.09.2014 at Karaikudi and the petitioner lived in the matrimonial home at Karaikudi. After the marriage, the de facto complainant was subjected to cruelty by her in-laws and therefore, she left from her matrimonial home and came to her parental home near Avadi. The petitioner gave a complaint to the Inspector of Police, All Women Police Station, Avadi, based on which, a case in Crime No.4 of 2018 was registered on 10.03.2018 under Section 498-A IPC, against Ilayaraja and his relatives. On the order of the higher authority, the investigation of the case in Cr.No.4 of 2018 has been transferred from the file of the All Women Police Station, Avadi, to the All Women Police Station, Karaikudi and the same has been re-registered as Crime No.6 of 2018. While so, the de facto complainant is before this Court for re-transfer of the case to Avadi.

2. Heard Mr.V.Paarthiban, learned counsel for the petitioner/de-facto complainant and Mr.C.Raghavan, learned Government Advocate (Crl.Side) for the respondents.

3. On a reading of the complaint given by the de facto complainant, it is seen that most of the allegations relating to cruelty had taken place in Karaikudi at the matrimonial home of the de facto complainant. Of course, the de-facto complainant has stated in the last paragraph of her complaint that Ilayaraja came during the last week of June 2016 and assaulted her. The de facto complainant has not even given the date on which the said incident had taken place.

4. In such view of the matter, if the case is re-transferred from Karaikudi to Avadi, more prejudice will be caused to the de facto complainant. Therefore, the request for re-transfer stands rejected. However, this Court directs the Deputy Superintendent of Police, Karaikudi, to monitor the investigation that is being conducted by the Inspector of Police, All Women Police Station, Karaikudi in Crime No.6 of 2018 (Old Crime No.4 of 2018 of the All Women Police Station, Avadi) and complete the same, if not already been completed, expeditiously.

5. With the above direction, this criminal original petition stands disposed of.

Sd/-

Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Inspector General of Police, State of Tamil Nadu, Chennai.
 2. The Inspector of Police, W-29, All Women Police Station, Avadi, Chennai - 54.
 3. The Inspector of Police, All Women Police Station, Karaikudi, Sivagangai District.
 4. The Public Prosecutor, High Court, Madras.
 5. The Deputy Superintendent of Police, Karaikudi.
- + 1 cc to Mr. V. Parthaban, Advocate Sr.61324

Crl.O.P.No.21475 of 2018

RSV(CO)

EU (28/09/2018)

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