

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED: 08.11.2018

C O R A M  
THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

Criminal Original Petition No.25599 of 2018  
& CrI.M.P.No.14629 of 2018

Yogapriyadharshini, F/19  
D/o.Mr.Palanisamy,  
No.2/52, West Thottam,  
Perisanampatti, Elayamuthur Post,  
Madathukulam Taluk,  
Tiruppur District.

...Petitioner/Defacto complainant

Vs.

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

2. The Inspector of Police,  
Komaralingam Police Station,  
Tiruppur District.

(Crime No.252 of 2018)

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to withdraw the case file in Crime No.252 of 2018 from the file of the 2<sup>nd</sup> respondent and to transfer the same to the any other investigation agency or to Crime Branch CID for fair and de novo investigation in Crime No.252 of 2018 and subsequently direct the concerned investigation agency to consider my representation dated 15.10.2018 for necessary alteration of the FIR in the said Crime Number.

For Petitioner : Mr.D.R.Arun Kumar

For Respondents : Mr.M.Mohamed Riyaz  
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking to transfer the investigation in Crime No.252 of 2018 pending on the file of the 2<sup>nd</sup> respondent.

2. The learned Additional Public Prosecutor, on instructions submits that there was a case and a counter case.

Based on the complaint given by the petitioner, the respondent police have registered the F.I.R in Crime No.252 of 2018 for alleged offence under Section 294(b), 323, 324, 342 and 506(ii) I.P.C. Based on the counter case, the respondent police also registered Crime No.253 of 2018 against the petitioner for an alleged offence under Sections 294(b), 323, 506(i) I.P.C. Both the F.I.R's were investigated by the 2<sup>nd</sup> respondent and the 2<sup>nd</sup> respondent has completed the investigation and filed final report insofar as Crime No.252 of 2018 is concerned, on 26.10.2018, before the Judicial Magistrate-I, Udumalpet. Insofar as in Crime No.253 of 2018 is concerned, the respondent police have filed closure report.

3. In view of the above, this Court does not find any reason to transfer the investigation. Now that the respondent police have completed the investigation and filed final report, the law has to take its own course.

4. In the result, the Criminal Original Petition is disposed of, by recording the submissions made by the learned Additional Public Prosecutor. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

bsm

To,

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

2.The Inspector of Police,  
Komaralingam Police Station,  
Tiruppur District.

3.The Additional Public Prosecutor,  
High Court, Madras.

+1cc to Mr.D.R.Arunkumar, Advocate, S.R.No.76943

Cr1.O.P No.25599 of 2018  
& Cr1.M.P.No.14629 of 2018

KAN(CO)

rrs 26/11/2018