

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2018

CORAM:

THE HON'BLE MR.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.28677 of 2018

Jayakumari

... Petitioner

vs.

State

1.Rep. by the Superintendent of Police,
Kanchipuram District.

2.Inspector of Police,
Orathi Police Station,
kanchipuram District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation from second respondent to some other All Women Police Station and direct to file a final report within stipulated time in Crime No.134/2018.

For Petitioner : Mr.C.S.S.Pillai

For Respondents : Mr.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to transfer the investigation from second respondent to some other All Women Police Station and direct to file a final report in Crime No.134/2018.

2. The FIR has been registered before the second respondent in Crime No.134 of 2018, for an offence under Sections 294 (b), 323, 324, 325, 386, 506 (2) of Indian Penal Code and Section 4 of Women Harassment Act and Section 12 of POCSO Act.

3. Considering the nature of allegations made and also considering the fact that the victim is a young girl aged about 14 years, it will be better to transfer this case to All Women Police Station, so that it will be easy for the victim to

explain the actual incident and it will be easy for the police to proceed further with the investigation in accordance with law.

4. In the facts and circumstances of the case, the first respondent is directed to immediately transfer the case pending in Crime No.134 of 2018 from the file of the second respondent to All Women Police Station within the same jurisdiction and assign the task of investigation to the Police Officer in the rank of the Inspector of Police. This process shall be completed by the first respondent within a period of two weeks from the date of receipt of a copy of this order.

5. With the above direction, this Criminal Original Petition stands disposed of.

nmm/dss

14.12.2018

This Petition having been posted on 21.12.2018 for Being Spoken. In Pursuance to the order of this Court dated 14.12.2018 and made herein in the presence of Mr.C.S.S.Pillai, Advocate for the Petitioner and Mr. Mohamed Riyaz, Additional Public Prosecutor, this court made the following order:

Today, the case was posted "For Being Spoken".

2 Taking into consideration of the potential threat faced by the victim and her mother from the accused person.

3 It is reported that the case has already been transferred to the Inspector of Police, All Women Police Station, Melmaruvathur. The Investigating Officer reports before this Court that the victim will be produced before the concerned Magistrate/ Subordinate Judge tomorrow [i.e. 22.12.2018] for recording 164 statement. The Investigating Officer also stated before this Court that sufficient security will be given to the victim and her mother and immediate action will be taken as against the accused person.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

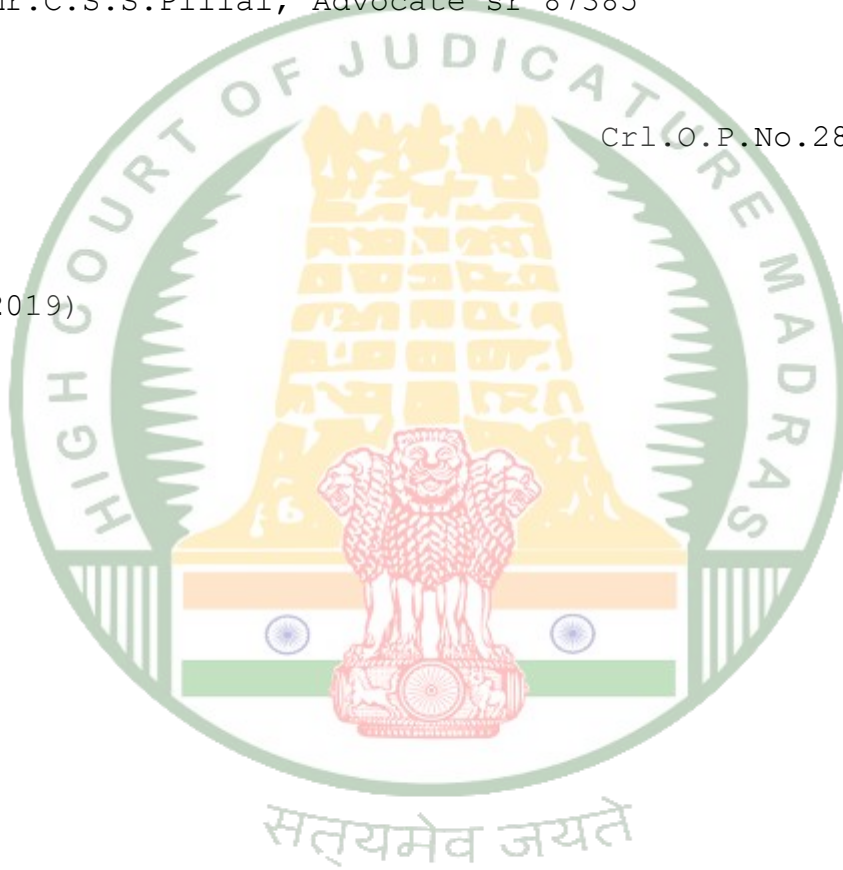
1.The Superintendent of Police,
Kanchipuram District.

- 2.The Inspector of Police,
Orathi Police Station,
kanchipuram District.
- 3.The Public Prosecutor,
Madras High Court, Chennai.
4. The Inspector of Police
All Womens Police Station
Melmaruvathur.

+1 CC to Mr.C.S.S.Pillai, Advocate sr 87385

Crl.O.P.No.28677 of 2018

SKV(CO)
SP(03/01/2019)



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