



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.06.2018

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

Crl.O.P. (MD)No.9381 of 2018
and
Crl.M.P. (MD)No.4111 of 2018

A.Vimalamary

... Petitioner

-vs-

1.The Superintendent of Police,
O/o.the Superintendent of Police,
Thoothukudi District.

2.The Deputy Superintendent of Police,
Kovilpatti Sub Division,
Thoothukudi District.

3.The Inspector of Police,
Ottaipidaram Police Station,
Thoothukudi District.
(Crime No.115 of 2017)

... Respondents

PRAYER: Criminal Original petition is filed under Section 482 of the Criminal Procedure Code, directing the respondent No.1 to withdraw the case in Crime No.115 of 2017 under Sections 279 and 304(A) of I.P.C dated 02.08.2017 on the file of respondent No.3 and entrust the same to respondent No.2 for an investigation of the case by a Competent Officer and file a final report before the Jurisdictional Magistrate within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash
For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

O R D E R

This petition has been filed praying for a direction to the first respondent to withdraw the case in Crime No.115 of 2017, registered under Sections 279 and 304(A) of I.P.C dated 02.08.2017 on the file of the third respondent and entrust the same to the second respondent for investigation of the case by a Competent Officer and file a final report before the Jurisdictional Magistrate.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondents.



3. Though the petitioner has sought for the larger relief as stated above, the learned Counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 02.05.2018 may be directed to be considered by the first respondent.

4. The learned Government Advocate (Criminal Side) would submit that the said representation is pending and the same shall be considered by the first respondent in accordance with law.

5. In the light of the submissions made on either side, without going into the merits of the case, the first respondent/The Superintendent of Police, Thoothukudi District, is directed to consider the representation of the petitioner dated 02.05.2018 and pass orders on merits and in accordance with law as expeditiously as possible. The petitioner is also directed to submit a copy of the said representation to the first respondent along with a copy of this order.

6. With the above direction, the Criminal Original Petition is disposed of. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(W)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Thoothukudi District.
 2. The Deputy Superintendent of Police,
Kovilpatti Sub Division,
Thoothukudi District.
 3. The Inspector of Police,
Ottaipidaram Police Station,
Thoothukudi District.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- +1cc to Mr. I. Pinaygash, Advocate, SR.No.67729.

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11.06.2018

LS/MJ