



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Cr1.O.P.[MD].No.10285 of 2018

Indiragandhi

: Petitioner

Vs.

1.The Commissioner of Police,
Trichy Cirty, Trichy.

2.The Assistant Commissioner of Police
(Law and Order),
Cantonment, Trichy.

3.The Inspector of Police,
Cantonment Police Station,
Trichy.

4.The Superintendent of Police,
CBCID, Chennai.

5.The Inspector of Police,
CBCID, Kajamalai,
Trichy.

: Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to transfer the investigating authority from 1st to 3rd respondents to 4th respondent and 5th respondent and direct them to investigate the into petitioner's complaint dated 21.05.2018 and to register a case against the erring police officials.

For Petitioner : Mr.M.Sankar

For Respondents : Ms.S.Bharathi

Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed seeking transfer of investigation.

2.The petitioner gave a complaint on 12.05.2017 before the third respondent with regard to missing of her husband. On receipt of the complaint from the petitioner registered in Crime No.720 of 2017 as Man Missing.



3.The learned Government Advocate(Criminal Side) would submit that on 12.05.2017, the date on which a case in Crime No.720 of 2017 has been registered by the third respondent police on the complaint lodged by the petitioner, a case in Crime No. 297 of 2017 has been registered by the Inspector of Police, Samayapuram Police Station and the complaint was lodged by the Owner of Ajantha Hotel alleging that the petitioner's husband has committed an offence of theft.

4.The learned counsel for the petitioner would submit that a Criminal Original Petition in CrI.OP(MD)No.6439 of 2018, has already been filed before this Court seeking to quash the F.I.R., registered in Crime No.297 of 2017 and the same is pending.

5.There is nothing more to be investigated by the CBCID Police, insofar as the present F.I.R, i.e., Crime No.720 of 2017, is concerned. The grievance that has been expressed by the petitioner with regard to the fact that a false complaint has been lodged as against her husband is something to be investigated in CrI.OP(MD) No.6439 of 2018, which has been filed seeking to quash the F.I.R in Crime No.297 of 2017.

6.In view of the same, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS-I)

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To

1.The Commissioner of Police,
Trichy City, Trichy.

2.The Assistant Commissioner of Police
(Law and Order),
Cantonment, Trichy.

3.The Inspector of Police,
Cantonment Police Station,
Trichy.

4.The Superintendent of Police,
CBCID, Chennai.

<https://hcservices.ecourts.gov.in/hcservices/>

5.The Inspector of Police,
CBCID, Kajamalai, Trichy.



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

+1cc to Mr.M.Sankar, Advocate in SR No.81555

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NM/PM/SAR 1/28.09.18/3P/8C