



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.09.2018
CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

Cr1.O.P.[MD].No.15974 of 2018

R.Krishnakumari

: Petitioner

Vs.

1.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai.

2.The Superintendent of Police,
CBCID, South Zone,
SIDCO Electronics Complex,
Block No.3, 1st Floor,
Guindy Industrial Estate,
Chennai-32.

3.The Superintendent of Police,
Kanyakumari District, Nagercoil.

4.The Additional Superintendent of Police,
Kanyakumari District, Nagercoil.

5.The Inspector of Police,
All Women Police Station, Nagercoil,
Kanyakumari District.

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the Superintendent of Police, Kanyakumari District, 3rd Respondent herein to handover the complaint of the petitioner dated 10.07.2018 to the C.B.C.I.D for registration of the case and further investigation within the time limit stipulated by this Court.

For Petitioner : Mr.D.Srinivasa Ragavan
For Respondents : Mr.S.Bharathi
Government Advocate

ORDER

This Petition has been filed for a direction to the Superintendent of Police to hand over the complaint given by the petitioner to CBCID.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.



3.The sum and substance of the case of the petitioner is that the Inspector of Police belonging to Karungal Police Station, started to misbehave with the petitioner and also forced her to come to his place. Therefore, the petitioner gave a complaint against him, based on which, the Inspector of Police was suspended. A police complaint was also lodged against the said Inspector before the fifth respondent. Since no action was taken, and also the respondents were not investigating the case properly, the present petition has been filed seeking for transfer.

4.In the facts and circumstances of the case, going by the allegations made in the complaint and also supporting materials that has been given along with the complaint, this Court deems it fit to transfer the complaint to be enquired by a higher authority, since the accused person in this case is an Inspector of Police.

5.This Criminal Original Petition is disposed of with a direction to the fifth respondent to hand over the complaint given by the petitioner along with all the materials to the fourth respondent within a period of one week from the date of receipt of copy of this order. The fourth respondent immediately on receipt of the complaint, shall register a First Information Report in accordance with the guidelines given by the Hon'ble Supreme Court in Lalitha Kumari Vs. Government of Uttar Pradesh reported in 2013 (6) CTC 353, and the fourth respondent shall effectively investigate the case. The third respondent is directed to monitor the investigation of the fourth respondent.

6.At this stage, the learned counsel appearing for the petitioner would submit that the petitioner is receiving threats from the Inspector of Police against whom the complaint has been given by the petitioner. The fourth respondent is directed to immediately take steps to call Mr.Benzome, Inspector of Police, Karungal Police Station and accordingly warn him not to go any where near the petitioner. If the petitioner apprehends any potential threat, protection may also be given to the petitioner.

Sd/-

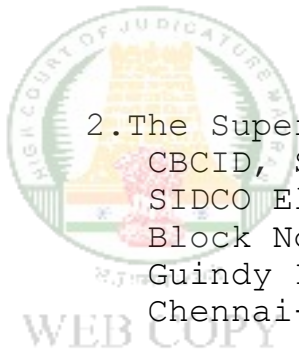
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The Director General of Police,
Dr.Radhakrishnan Salai, Mylapore,
Chennai.



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5.The Inspector of Police,
All Women Police Station, Nagercoil,
Kanyakumari District.

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

+1CC to Mr.D.Srinivasa Ragavan, Advocate, SR.No.82629

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