



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

**Crl.O.P. (MD) No.12610 of 2013
and M.P. (MD) No.2 of 2013**

R.Vishnupriya

... Petitioner / Petitioner

Vs.

1. The Superintendent of Police,
Madurai District, Madurai.
2. The State rep.by the
Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.
(Crime No.34 of 2012)
3. The Inspector of Police,
All Women Police Station (West),
R.S.Puram, Coimbatore City,
Coimbatore.
- 4.Kumaresan
- 5.Ramanujam
- 6.Rajeswari

... Respondents

PRAYER: The Petition filed under Section 482 Cr.P.C. to set aside the order passed by the 1st respondent in his proceedings in C.No.C1/7315/21/2013 dated 05.03.2013.

For Petitioner : Mr.M.P.Senthil.

For R1 to R3 : Mr.A.Robinson,

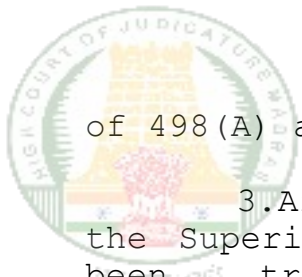
Government Advocate(Crl.side).

For R4 to R6 : No Appearance.

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the 1st respondent in his proceedings in C.No.C1/7315/21/2013 dated 05.03.2013.

2.The petitioner herein is the daughter of the de facto complainant in Crime No.34 of 2012, registered under the provisions



of 498(A) and Section 4 of Women Harassment Act.

3. After registration of the case, as per the proceeding of the Superintendent of Police, Madurai District, the said FIR has been transferred to Coimbatore Police Station in C.No.C1/7315/21/2013, dated 05.03.2013 for further investigation. In the proceeding passed by the Superintendent of Police, Madurai, he mentioned the reason that the alleged occurrence was happened in Coimbatore and in Japan. Thereby, the 1st respondent, who is the Superintendent of Police transferred the FIR to the Coimbatore P.S. for further investigation.

4. Initially, the case has been registered based on the complaint given by the father of the petitioner. The fourth respondent herein is the husband of the petitioner and 5th and 6th petitioner petitioners are respectively the mother-in-law and father-in-law of the petitioner. In a complaint given before the Police Officials, Madurai, the petitioner made allegation as the 4th 5th & 6th respondents were made harassment towards her, in order to get more dowry. Petitioner herein filed this petition in order to cancel the proceedings passed by the 1st respondent.

5. The first and foremost contention raised by the petitioner herein is without giving any notice to her, the 1st respondent / Superintendent of Police, Madurai, transferred the proceeding to Coimbatore Police Station.

6. Now, on going through the records, this case has been registered based on the complaint given by the father of the petitioner. In this context, the father of the petitioner is not added as party to this application and he is only the competent person for answering the allegation mentioned in the complaint.

7. Apart from that, after transferring the FIR from Madurai to Coimbatore, the case has been investigated and final report has also been filed before the Additional Mahila Court, Coimbatore and after receiving the final report, the said Court take cognizance in C.C.No.55 of 2014. After taking cognizance, 4th, 5th & 6th respondents filed Criminal Original Petition before the Principle Bench in CrI.O.P.(MD)No.20658 of 2015, in which the order of stay also granted.

8. Therefore, this Court came to the conclusion that if the prayer sought for by the petitioner is granted, it will affect the entire process of investigation and other proceedings. Thereby, this Court is not inclined to allow this petition. Accordingly, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(P&A)

/True Copy/



To

1. The Judicial Magistrate,
Additional Mahila Court, Coimbatore.
2. The Superintendent of Police,
Madurai District, Madurai.
3. The State rep. by the
Inspector of Police,
All Women Police Station,
Thirupparankundram,
Madurai District.
(Crime No.34 of 2012)
4. The Inspector of Police,
All Women Police Station (West),
R.S.Puram, Coimbatore City, Coimbatore.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

gns

MV:KKR:SAR1:22/03/2018/3P/6C

Cr1.O.P. (MD) No.12610 of 2013

27.02.2018