



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1 OP(MD)No.23370 of 2013

A.Johnson

... Petitioner

Vs.

1.The Director General of Police,
Chennai.

2.The Inspector General of Police,
Central Zone, Trichy.

3.The Commissioner of Police,
Trichy.

4.The Inspector of Police,
All Women Police Station,
Ponmalai, Trichy District.

5.The Inspector of Police,
All Women Police Station,
Tambaram, Chengalpattu District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code to set aside the order dated 12.08.2013 in transfer in Crime No.10 of 2013 and the transfer from the fifth respondent to fourth respondent.

For Petitioner

: Mr.A.Joel Paul Antony

For Respondent

: Mr.A.Robinson,
Govt.Advocate

ORDER

The petitioner is the defacto complainant in Crime No.10 of 2013 registered on the file of the All Women Police Station, Ponmalai, Trichy District. The petitioner's daughter Metdilta was given in marriage to Dennins Premasaji in the year 2009 at St.John's Church in Trichirapalli. At the time of the marriage, the petitioner is said to have given 57 ½ sovereigns of gold, 3 ½ lakhs and other articles worth about 2 lakhs. The petitioner's daughter subsequently died in an accident. Even during her life time, it appears that she was subjected to cruelty and that she had come away from her husband. She also filed IDOP No.97 of 2010 before the



Trichy District Court seeking dissolution of her marriage. The petitioner had moved this Court by filing CrI OP(MD)No.14847 of 2013 for filing final report in the criminal case. At that stage, the impugned order came to be passed directing the transfer of investigation from AWPS, Ponmalai, Trichy District to AWPS, Tambaram.

2.It may be that the petitioner's daughter had her matrimonial home at Chennai and was subjected to cruelty there. That alone will not determine the jurisdiction of the police. The marriage was solemnized at Trichy. Sridhana articles were handed over by the petitioner wholly at Trichy. Therefore, this Court is of the view that the fourth respondent can very well investigate into the matter and do the needful. It is seen that the petitioner is a senior citizen aged about 68 years. His daughter also passed away. In these circumstances, the fourth respondent police itself can be mandated to carry on with the investigation and file final report. Therefore, while setting aside the order impugned in this petition, this Court directs the fourth respondent to file final report in Crime No.10 of 2013 within a period of three months from the date of receipt of a copy of this order. A further direction is given to the fifth respondent police to hand over the entire C.D file to the fourth respondent police.

3.This Criminal Original Petition is allowed.

Sd/-

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar

To

- 1.The Director General of Police, Chennai.
- 2.The Inspector General of Police, Central Zone, Trichy.
- 3.The Commissioner of Police, Trichy.
- 4.The Inspector of Police, All Women Police Station, Ponmalai, Trichy District.
- 5.The Inspector of Police, All Women Police Station, Tambaram, Chengalpattu District.

+1cc to Mr.A.Joel Paul Antony, Advocate, SR.No.67107.

CrI OP(MD)No.23370 of 2013
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