

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4915 of 2019

R.Inbamozhi

...Petitioner

-Vs-

1.The Superintendent of Police,
Thiruvallur.

2.The Inspector of Police,
F5, Pathirivedu Police Station,
Gummidipoondi Taluk,
Thiruvallur District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to transfer the Crime No.86 of 2018 on the file of the second respondent herein to some other agency and file final report in Crime No.86 of 2018.

For Petitioner : Mr.S.Baskar

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

The present petition is filed by the petitioner/defacto complainant to transfer the investigation in Crime No.86 of 2018 from the 2nd respondent/Inspector of Police to some other Agency and file a final report.

2. The learned counsel appearing for the petitioner would submit that the petitioner/defacto complainant lodged a complaint before the Inspector of Police, F5, Pathirivedu, on 15.02.2018. On the basis of the complaint, the 2nd respondent/Inspector of Police registered a case against the accused for the offences under Sections 417, 294(b), 506(i) IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 1988. Even then the 2nd respondent/Inspector of Police did not investigate the matter in the manner known to

law. Even after receipt of the registration of FIR, the 2nd respondent/Inspector of Police did not take any steps to file any final report. Therefore, she prayed to the above said case to be transferred for investigation by some other agency and file a final report.

3. Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents 1&2 would submit that now the offence has been altered to Sections 417, 376, 294(b), 506(i) IPC r/w 40 of the Tamil Nadu Prohibition of Harassment of Women Act, 1988 as against the accused.

4. Heard both side and perused all the materials available on record.

5. As this Court feels that this is not a fit case to transfer the investigation to some other Agency, considering the above facts and circumstances of the case, the 2nd respondent/Inspector of Police is directed to complete the investigation and file a final report and the entire investigation shall be completed and monitored by the 1st respondent/Superintendent of Police, Thiruvallur, and file a final report within a period of three months from the date of receipt of a copy of this order.

6. Accordingly, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

msm

To

1. The Superintendent of Police, Thiruvallur.

2. The Inspector of Police,
F5, Pathirivedu Police Station,
Gummidipoondi Taluk, Thiruvallur District.

3. The Public Prosecutor, High Court, Madras.

+lcc to Mr.S.Baskar, Advocate SR.No.16848

Cr1.O.P.No.4915 of 2019

BS (CO)

GMV (22/03/2019)