

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.03.2019

CORAM

THE HONOURABLE Mr.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.6471 of 2019

Deepa Rani

... Petitioner

Vs.

1.State rep. by
The Superintendent of Police,
District Police Office,
Tiruvarur.

2.The State rep. By
The Inspector of Police,
Thiruthuraipoondi.
(Crime No.678 of 2018)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to consider and pass orders by directing the respondents to transfer the investigation in Crime No.678 of 2018 on the file of the Thiruthuraipoondi Police Station to some other police agencies such as All-Women Police Station or any other special police agencies to investigate the case and to file the charge sheet in time bound manner.

For Petitioner : Mr.K.M.Subrahmaniam

For Respondents:Mr.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to transfer the case in Crime No.678 of 2018 on the file of the second respondent to any other Police Station.

2.Heard Mr.K.M.Subrahmaniam, learned counsel appearing for the petitioner and Mr.Mohamed Riyaz, learned Additional Public Prosecutor, appearing for the respondents.

3.The learned counsel appearing for the petitioner submitted that though the petitioner lodged the complaint on 16.05.2018, the 2nd respondent has registered a case in the above said crime number only on 30.12.2018 and no final report has been filed till date. Hence, he filed the present petition with the aforesaid prayer.

4.The learned Additional Public Prosecutor appearing for the respondents would submit that the investigation in Crime No.678 of 2018 is still pending and further submitted that the case may be transferred to All Women Police Station, Thiruthuraipoondi.

5.It is seen that the second respondent police have registered a case in Crime No.678 of 2018 for the offence under Sections 294(b), 506(ii),

494 and 498 of IPC and Section 4 of the Prohibition of Harassment of Women Act, 2002 as early as on 30.12.2018. It is seen that all the offences are pertaining to family dispute and according to the petitioner, the second respondent is not taking action as against the accused person and has also not filed the final report. Therefore, it would be appropriate to withdraw the complaint in Crime No.678 of 2018 on the file of the second respondent and transfer the same to the Inspector of Police, All Women Police Station, Thiruthuraipoondi, for further investigation.

6. Accordingly, this Criminal Original Petition is allowed and the second respondent is directed to transfer all the papers relating to Crime No.678 of 2018 to the file of Inspector of Police, All Women Police Station, Thiruthuraipoondi. On receipt of the entire file, the Inspector of Police, All Women Police Station, Thiruthuraipoondi, is directed to take up the case and conduct an enquiry and to file a final report within a period of three months from the date of receipt of copy of this order.

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11.03.2019

Issue order copy on or before 18.03.2019.

Internet:Yes

rm

G.K.ILANTHIRAIYAN,J.,

rm

To

1. The Superintendent of Police,
District Police Office,
Tiruvarur.

2. The State rep. By
The Inspector of Police,
Thiruthuraipoondi.
(Crime No.678 of 2018)

3. The Inspector of Police,
All Women Police Station,
Thiruthuraipoondi.

4. The Public Prosecutor,
High Court, Madras.



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