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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.2811 of 2019

V.Sruthi Keerthi : Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
All Women Police Station,
Tallakulam, Madurai City.

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to transfer the investigation from the second respondent and to entrust the same to any other competent Inspector of Police under the control of the first respondent by considering the petitioner's representation dated 13.01.2019.

For Petitioner : Mr.M.Solaisamy

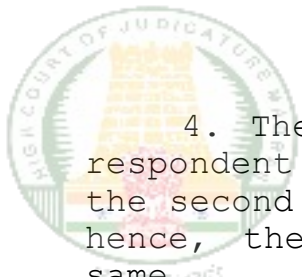
For R1 and R2 : Mr.V.Neelakandan
Additional Public Prosecutor

O R D E R

This petition has been filed seeking to transfer the investigation of the case in CSR No.570 of 2018 from the second respondent to any other competent Inspector of Police under the control of the first respondent.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the official respondents. This Court has paid its anxious consideration to the submissions made on either side.

3. The learned counsel for the petitioner submitted that the complaint preferred by the petitioner against her husband, which was forwarded by the Additional Mahila Court, Madurai under Section 156 (3) Cr.P.C. to the second respondent police, was not properly enquired into, preparing to closure the complaint.



4. The learned Additional Public Prosecutor appearing for the respondent police submitted that after conducting due investigation, the second respondent did not file any material to register the FIR, hence, the second respondent police has preferred to closed the same.

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5. The statement made by the learned Additional Public Prosecutor is hereby recorded.

6. In view of the above, the prayer sought for by the petitioner cannot be entertained at this stage. However, the petitioner is directed to approach the concerned Magistrate for appropriate remedy as provided under law. With this direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar(CS)

To

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
All Women Police Station,
Tallakulam, Madurai City.

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

+1 CC to M/s.M.SOLAISAMY, Advocate (SR-49656[F] dated 26/02/2019)

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ES/04.04.2019/3P/5C