



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE N. SESHASAYEE

Crl.O.P.[MD]No.3895 of 2019

Neela

: Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District, Ramanathapuram.

2.The Inspector of Police,
Tiruvadanai Police Station,
Ramanathapuram District.
(Crime No.25 of 2019)

: Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C. to direct the first respondent to transfer the investigation in Crime No.25 of 2019, dated 04.02.2019 on the file of the second respondent Police to some other impartial investigating agency.

For Petitioner : Mr.D.Rameshkumar

For Respondents : Mr.V.Neelakanden

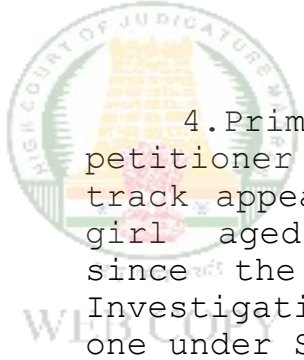
Additional Public Prosecutor

ORDER

The present petition is filed by the mother, who has preferred a complaint alleging that her daughter aged 17 years was missing from 27.10.2018.

2.The learned counsel appearing for the petitioner submits that though the girl minor, appeared to have married certain Gowtham, who has posted their marriage photos in the Facebook account. The learned counsel even produced a copy of the facebook account. Since the investigation is not well to be on the right track, the learned counsel appearing for the petitioner seeks transfer of investigation to another Investigating Agency.

3.The learned Additional Public Prosecutor submitted that the case was now altered into one under Section 363 Cr.P.C., and an alteration report was made on 04.02.2018. He further added that the girl was tracked by the Investigating Agency and produced before the concerned Magistrate on 13.02.2019. Since the girl does not want to go with her parents, she is now lodged in Annai Sathya Home, Ramnad.



4. Primarily, this Court finds that the apprehension of the petitioner that the investigation was possibly not on the right track appears to hold some merit about it. Here is the case, the girl aged around 17 years went missing some eight months back and since the registration of the First Information Report, the Investigating Agency has woken up to alter the offence only now to one under Section 363 I.P.C.

5. Having stated thus taking other circumstances into consideration, this Court now directs the first respondent / Superintendent of Police to monitor the investigation of the offence in Crime No.25 of 2019 by the second respondent either by himself or by any other Authority superior in rank to the second respondent.

6. In view of the above direction, the Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(cs-II)

/True Copy/

Sub Assistant Registrar(CS-II)

To

1. The Superintendent of Police,
Ramanathapuram District, Ramanathapuram.
2. The Inspector of Police,
Tiruvadanai Police Station,
Ramanathapuram District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.M.Palani Raja, Advocate, SR.No.54063

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SP/29.03.2019/ 2P/5C