



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL OP(MD).No.8382 of 2019

Jerald Fernandez

...Petitioner

Vs.

1.The State through the
Superintendent of Police,
O/o. the Superintendent of Police,
Thoothukudi District.

2.The State through the
Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Thoothukudi District.

3.The State through the
Inspector of Police,
Thoothukudi All Women Police Station,
Thoothukudi District.
(In Crime No.16 of 2018)

4.Mrs.Clerisha Fernando

...Respondents

PRAYER: This Petition filed under Section 482 of Criminal Procedure Code to direct the first respondent to take appropriate action against the accused persons and directing the first respondent to transfer the investigation in Crime No.16 of 2018, on the file of the third respondent by any other competent officer.

For Petitioner

: Mr.S.M.A.Jinnah

For R-1 to R-3

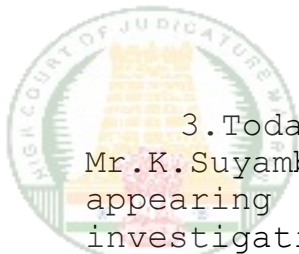
: Mr.K.Suyambulinga Bharathi

Government Advocate (Crl.side)

ORDER

This petition has been filed seeking for a direction to the first respondent to take appropriate action against the accused persons and directing the first respondent to transfer the investigation in Crime No.16 of 2018, on the file of the third respondent by any other competent officer.

2.According to the petitioner, based on the complaint given by the fourth respondent, the second respondent Police registered a case against the petitioner herein for the offences under Sections 498 (A), 294(b), 506(1), 494, 511 of the Indian Penal Code and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act,2002. The grievance of the petitioner is that during the enquiry, the second respondent Police is harassing him. He further submitted that the investigation conducted by the second respondent was not done in the proper manner.



3.Today, when the matter was taken up for hearing, Mr.K.Suyambulinga Bharathi, learned Government Advocate (Crl. side), appearing for the State, on instructions, would submit that the investigation has been completed and final report has also been filed before the learned Judicial Magistrate No.III, Thoothukudi on 22.04.2019 and the matter is now pending with the learned Judicial Magistrate No.III, Thoothukudi.

4.Considering the facts and circumstances of the case and also considering the fact that the investigation has already been over and also the final report has been filed before the concerned Judicial Magistrate, at this stage, the prayer sought for by the petitioner cannot be granted.

5.The Criminal Original Petition stands dismissed accordingly.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Superintendent of Police,
O/o. the Superintendent of Police,
Thoothukudi District.
- 2.The Deputy Superintendent of Police,
O/o.the Deputy Superintendent of Police,
Thoothukudi District.
- 3.The Inspector of Police,
Thoothukudi All Women Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CRL OP(MD) .No.8382 of 2019
18.06.2019

CS: (08/07/2019) 2P 5C