



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

Cr1.O.P.[MD]No.22818 of 2018

and

Cr1.M.P.[MD]No.10779 of 2018

B.Gladys

: Petitioner

Vs.

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

2.The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
(Crime No.40 of 2016)

: Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent for change of investigation in Crime No.40 of 2016 dated 08.02.2016 on the file of second respondent and entrust the same to a competent officer for investigation other than the second respondent and file a Final Report before the Jurisdictional Magistrate.

For Petitioner : Mr.V.Rajiv Rufus

For Respondents : Mr.V.Neelkandan
Additional Public Prosecutor

ORDER

The present petition has been filed to transfer the investigation in Crime No.140 of 2016 registered for the offence under Section 392 of IPC.

2.When the case was taken up on the last occasion, it was reported to the Court that the case was classified as "undetectable case". Therefore, this Court required the Registry to obtain the remarks of the magistrate concerned. The report of the learned Magistrate has been received and it discloses that except FIR nothing has been intimated to the Court.

3. In the mean time, the learned Government Advocate has filed a status report, wherein it has been stated that the Deputy Superintendent of Police, Tiruchendur Vide his proceedings dated



13.03.2019 in Na.Ka.No.09/MUGAM/KA.THU.KA(THIR)/2019 is instructed to reopen the case. He also submitted that the present Investigating Officer, Kulasekarapattinam Police Station assures that the investigation would be deliberately carried out.

4. This Court records the said submission of the learned Additional Public Prosecutor. Now the Deputy Superintendent of Police, Tiruchendur is directed to monitor the investigation of this case and the second respondent is directed to lay charge sheet within a period of six months from the date of receipt of a copy of this order. Hence, this criminal Original petition is disposed of. Consequently, the connected CrI.M.P.[MD]No.10779 of 2018 is also closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Deputy Superintendent of Police,
Tiruchendur.

2.The Superintendent of Police,
O/o.Superintendent of Police,
Thoothukudi,
Thoothukudi District.

3.The Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.

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

+1 CC to M/s.V.RAJIV RUFUS, Advocate in SR-56094

CrI.O.P.[MD]No.22818 of 2018
and
CrI.M.P.[MD]No.10779 of 2018
21.03.2019

vsg

PK/02.05.2019 : 2P/6C