



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.08.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

CRL.O.P.(MD).No.16316 of 2014

G.Chithra

: Petitioner

Vs.

1.The Superintendent of Police,
Madurai District.

2.The Sub-Inspector of Police,
D-4, Thirunagar Police Station,
Madurai District.

3.The Superintendent of Police,
CBCID, Chennai.

: Respondents

PRAYER: Petition is filed under Section 482 of the Criminal Procedure Code to withdraw the investigation in connection with Crime No.40 of 2013, pending on the file of the second respondent and entrust the same to any other competent officer of the third respondent and to investigate the same in accordance with law within the time limit that may be fixed by this Court.

For Petitioner : Mr.T.Jeyakumar

For Respondents : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking for transfer of investigation to some other agency.

2.The grievance of the petitioner is that she has filed a complaint before the respondent Police on 19.01.2013 for the following offences under Sections 453, 342, 376, 392 and 109 of the Indian Penal Code. Even though there are serious allegations made that the petitioner was raped by two un-known persons, no proper investigation has been conducted by the second respondent Police. In the above circumstances, the present petition has been filed seeking for transfer of investigation.



3. Earlier, when the matter came up for hearing, this Court directed the second respondent Police to file a status report. Pursuant to the same, the said report is also filed before this Court, wherein, it has stated that after receiving a complaint, the investigation has been commenced and the petitioner also sent for medical examination. The statements of the petitioner, the doctor, who examined the petitioner, and the neighbors of the petitioner were also recorded. The investigation is still pending.

4. From perusal of the status report, it is seen that the investigation has already been done by the second respondent Police and the petitioner also sent for medical investigation and the statement of the witnesses were also recorded. In the above circumstances, as the investigation is almost over, at this stage, there is no reason to transfer the investigation to some other agency. The Criminal Original Petition stands dismissed accordingly. The second respondent is directed to proceed with the investigation and file a final report within a period of two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
Madurai District.
2. The Sub-Inspector of Police,
D-4, Thirunagar Police Station,
Madurai District.
3. The Superintendent of Police,
CBCID, Chennai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.A.RAHUL, Advocate (SR-80086[F] dated 06/08/2019)

Order made in
CRL.O.P. (MD) .No.16316 of 2014
05.08.2019