



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2019

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P (MD) No. 6933 of 2018

WEB COPY

Sameena

... Petitioner

Vs.

1. State

represented by the Superintendent of Police,
Nagercoil,
Kanyakumari District.

2. State

rep by the Inspector of Police,
Kollencode,
Kanyakumari District.

3. State

rep. by the Inspector of Police,
All Women Police Station,
Colachel, Kanyakumari District.

4. State,

rep. Inspector of Police,
CBCID, Sargunaveedhi,
Ramanputhoor,
Nagercoil, Kanyakumari Distict.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to withdraw the investigation in Crime No.20 of 2011 on the file of the third respondent and transfer the same to the fourth respondent.

For Petitioner : Mr.T.Antony Arul Raj
For Respondents : Mr. K. Suyambulinga Bharathi,
Government Advocate (Crl. Side)

O R D E R

This petition has been filed to withdraw the investigation in Crime No.20 of 2011 on the file of the third respondent and transfer the same to the fourth respondent.

2. The learned counsel appearing for the petitioner would submit that based on a complaint lodged by the petitioner, the third respondent has registered a case in Crime No.20 of 2011 and after completing investigation the same has been closed as 'Mistake of Fact' and also filed referred charge sheet before the concerned Jurisdictional Magistrate. The petitioner has filed protest petition and the same has been taken in Cr.M.P. No.2964 of 2015 and



the learned Judicial Magistrate No.II, Kuzhithurai ordered for further investigation and the directions issued by the learned Magistrate, now the third respondent proceeded the investigation further.

3. Under these circumstances, transfer of investigation would affect the entire investigation and therefore, the prayer sought for by the petitioner cannot be granted. However, the third respondent is directed to complete the investigation, within a period of Four weeks, from the date of receipt of copy of the order in Crime No.20 of 2011. The first respondent is directed to monitor the investigation done by the third respondent as directed by the learned Judicial Magistrate No.II, Kuzhithurai and shall ensure that the third respondent shall comply the Order passed by this Court.

4. With the above observations, the Criminal Original Petition is disposed off.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
Nagercoil, Kanyakumari District.
2. The Inspector of Police,
Kollencode, Kanyakumari District.
3. The Inspector of Police,
All Women Police Station,
Colachel, Kanyakumari District.
4. The Inspector of Police,
CBCID, Sargunaveedhi,
Ramanputhooor,
Nagercoil, Kanyakumari Distict.

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

+1 CC to Mr.T.ANTONY ARUL RAJ, Advocate (SR-95188[F] dated 31/10/2019)

Order made in

CRL.O.P (MD) No. 6933 of 2018

30.10.2019

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