



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 26.11.2019
CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.(MD)Nos.16724 & 16727 of 2019

WEB COPY

M.Janadhakaleeswari

... Petitioner/Defacto Complainant
(in both petitions)

Vs.

1.The Inspector General of Police,
South Zone, Madurai.

2.The Deputy Inspector General of Police,
Ramanathapuram Range,
Ramanathapuram.

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

4.The Deputy Superintendent of Police,
Ramanathapuram Sub Division,
Ramanathapuram.

5.The Inspector of Police,
Kenikkarai P.S.Near collectorate,
Ramanathapuram.

... Respondent/Complainants
(in both petitions)

Prayer in Crl.O.P.(MD)No.16724 of 2019: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to change the investigation of the case in Crime No.214 of 2018 dated 03.08.2018 on the file of the Kenikkarai Police Station for the offence under Sections 420, 379 and 506 (i) of Indian Penal Code to Inspector of Police, CBCID of Ramanathapuram District.

Prayer in Crl.O.P.(MD)No.16727 of 2019: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to change the investigation of the case in Crime No.253 of 2019 dated 26.07.2019 on the file of the Kenikkarai Police Station for the offence under Sections 420, 147, 447, 294 (b) and 506 (ii) of Indian Penal Code to Inspector of Police, CBCID of Ramanathapuram District.

For Petitioner : Mrs.S.Mahalakshmi
(in both petitions)

For Respondents : Mr.K.Suyambuliga Bharathi
Government Advocate
(in both petitions)



C O M M O N O R D E R

These petitions have been filed to change the investigation in Crime No.214 of 2018 and Crime No.253 of 2019 from the Inspector of Police, Kenikkarai Police Station, Ramanathapuram to Inspector of Police, CBCID of Ramanathapuram District.

2.The learned counsel for the petitioner would submit that on the complaint lodged by the petitioner, the fifth respondent police registered a case in Crime No.214 of 2018 and Crime No.253 of 2019 for the offences under Sections 420, 379 and 506 (i) of Indian Penal Code & 420, 147, 447, 294 (b) and 506 (ii) of Indian Penal Code. Even then the second respondent after registering the complaint did not take any steps to recover the car from the accused persons and did not take proper action. Hence he sought for quashing the First Information Report.

3. The learned Government Advocate (Crl.side) would submit that in this regard they have examined 10 witnesses and the investigation is almost completed. Therefore change of investigation will affect the investigation done by the respondent police.

3. Hence, at this stage the prayer sought for by the petitioner for transfer of investigation cannot be considered.

4. In view of the above, these Criminal Original Petitions stand dismissed. However, the fifth respondent is directed to complete the investigation and file final report before the concerned court within a period of eight weeks from the date of receipt of a copy of this order. The third respondent is directed to monitor the investigation done by the fifth respondent and ensure that the fifth respondent shall complete the order passed by this Court.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

dss

To

1.The Inspector General of Police,
South Zone, Madurai.



2.The Deputy Inspector General of Police,
Ramanathapuram Range,
Ramanathapuram.

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

4.The Deputy Superintendent of Police,
Ramanathapuram Sub Division,
Ramanathapuram.

5.The Inspector of Police,
Kenikkarai P.S.Near collectorate,
Ramanathapuram.

+2 CC to M/s.S. MAHALAKSHMI, Advocate (SR-101369[F] dated
26/11/2019)

Crl.O.P. (MD) Nos.16724 & 16727 of 2019
26.11.2019

MK (11.12.2019) 3P 8C