



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.09.2019**

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P. (MD)No.18305 of 2018

WEB COPY

Sumathi

...Petitioner/Defacto
Complainant

-Vs-

1.The Superintendent of Police,
Pudukkottai District,
Pudukkottai.

2.The Sub-Inspector of Police,
Nagudi Police Station,
Pudukkottai District.

... Respondents/Complainants

Prayer: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to transfer the investigation in Crime No.49 of 2018 from the file of 2nd respondent to any other effective investigation agency.

For Petitioner : Mr.M.Suresh

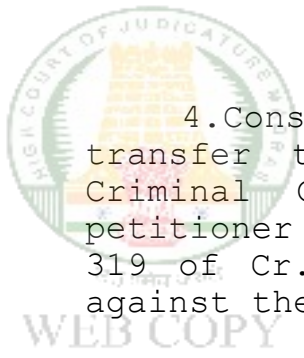
For R1 and R2 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.side)

O R D E R

This petition has been filed to transfer the investigation in Crime No.49 of 2018 from the file of the second respondent to any other effective investigation agency.

2. The learned counsel for the petitioner would submit that the occurrence took place on 10.05.2018 and on receipt of the information from the concerned hospital on 11.05.2018, the second respondent conducted an enquiry and registered a case in Crime No.49 of 2018 for an offence under Sections 147, 148, 447, 294(b), 324, 506(ii) of IPC., r/w Tamil Nadu Prohibition of Harassment of Women Act, 2002 as against ten accused persons and on the same day, they filed an alternation report and in the alternation report, four accused persons have been deleted.

3.The learned Government Advocate (Criminal side) would submit that the entire investigation completed and also filed a final report and the same has not been taken cognizance by the trial Court.



4.Considering the above facts, this Court is not inclined to transfer the investigation to any other agency. Hence, this Criminal Original Petition stands dismissed. However, the petitioner is always at liberty to invoke provisions under Section 319 of Cr.P.C during trial, if any incriminating materials found against the accused persons.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Superintendent of Police,
Pudukkottai District,
Pudukkottai.
2. The Sub-Inspector of Police,
Nagudi Police Station,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC TO Mr.M.Suresh, ADVOCATE IN SR No.86684.

Crl.O.P. (MD)No.18305 of 2018

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