

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.10741 of 2020

S.Jeeva

... Petitioner

Vs.

The State
represented by its
Inspector of Police
All Women Police Station
Gobichettipalayam
Erode District.
(Cr.No.3 of 2020)

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., praying to issue direction directing the respondent police to recover CD, Video Clippings from the accused Mr.Prabu in Crime No.3 of 2020 on the file of the respondent police relating to the petitioner.

For Petitioner :M/s.E.C.Ramesh

For Respondent :Mr.S.Karthikeyan

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking direction directing the respondent police to recover CD, Video Clippings from the accused Mr.Prabu in Crime No.3 of 2020 on the file of the respondent police relating to the petitioner.

2. Learned counsel for the petitioner would submit that the petitioner got second marriage after dissolution of her first marriage and unfortunately the second husband also died. Thereafter, she had given advertisement to sell her car. In this regard, she acquainted with the accused and one day he used to give sexual torture to the petitioner utilising the circumstance. On one day, on drunken mood, he raped her. Hence the complaint.

3. On the complaint lodged by the petitioner, the respondent police registered the case in Crime No.3 of 2020 for the offence under Sections 294 (b), 376 and 506(ii) IPC. In pursuant to the crime, the accused was arrested and remanded to the judicial custody. Thereafter, he was granted bail. After coming up on bail, the accused threatened the petitioner herein as if he captured videograph in his mobile and threatened to release the videograph to all the relatives and also in the public domain. Therefore, the petitioner called for direction directing the respondent police to recover any videograph taken by the accused from the accused.

4. Learned Additional Public Prosecutor would submit that though the accused was arrested and remanded to judicial custody, subsequently, he was released on bail and the investigation is under progress.

5. Considering the above submissions and also the nature of allegation, the respondent is directed to interrogate the crime with the accused and recover the photographs, videographs and any other materials in support of the offence committed by the accused from him and complete the investigation and file final report within a period of 12 weeks from the date of receipt of a copy of this order. Further, it is open to the petitioner, on these grounds, she can lodge a fresh complaint against the accused and also the petitioner is at liberty to file a petition to cancel the bail granted to the accused in Crime No.3 of 2020.

6. With the above direction, this Criminal Original Petition is disposed of.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mra
To

1. The Inspector of Police
All Women Police Station
Gobichettipalayam
Erode District.
(Cr.No.3 of 2020)

2. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No. 10741 of 2020

MP (CO)
SP (30/09/2020)



WEB COPY