

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No.13695 of 2020

Gowthami

... Petitioner

Vs.

1.The Commissioner of Police
Chennai City
Chennai - 600 007.

2.State Represented by the
Additional Deputy Commissioner of Police
Prevention of Crime against Women and Children
Veperiy, Chennai - 600 007.

3.State Represented by
The Sub-Inspector of Police
W8 Thirumangalam AWPS Police Station
Chennai - 600 101.
(Crime No.12 of 2020)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the 1st and 2nd respondents to provide copy of the statement recorded from the petitioner/victim and copy of the Medical Examination Report of the petitioner to the Defacto complainant in the Crime No.12 of 2020 pending on the file of the W8 Thirumangalam AWPS Police Station, Chennai.

For Petitioner : Mr.C.Prabhu

For Respondents: Mr.S.Karthikeyan
Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been filed to direct the 1st and 2nd respondents to provide copy of the statement recorded from the petitioner/victim and copy of the Medical Examination Report of the petitioner to the Defacto complainant in the Crime No.12 of 2020 pending on the file of the W8 Thirumangalam AWPS Police Station, Chennai.

2.The learned counsel for the petitioner would submit that the petitioner herein is the victim in Crime No.12 of 2020. She belongs to Scheduled Class community and she was raped by the accused person on 23.01.2020 and she was also misused sexually and assaulted by the accused on the pretext of false promise that he will marry her. Therefore she lodged a complaint on the file of the 2nd respondent and the same was registered for the offence under Section 323, 417, 376 and 506 (ii) of IPC and Section 3(1)(r), 3(1)(w)(i), 3(1)(z), 3(2)(v) of SC/ST (PoA) Amendment Act, 2015.

3.Further investigation was done by the 2nd respondent, in which the victim's statement was recorded by the 3rd respondent. The victim was also sent for medical examination before the KMC Hospital, Chennai on 08.08.2020. When the petitioner/victim sought for the copy of the medical report and statement recorded from her, the 2nd respondent refused to provide the copies of the same.

4.The learned Additional Public Prosecutor would submit that the petitioner is victim in Crime No.12 of 2020, for the offences punishable under Section 3(1)(r), 3(1)(w)(i), 3(1)(z), 3(2)(v) of SC/ST (PoA) Amendment Act, 2015. After registration of FIR, the 2nd respondent took up the investigation and the same is under progress. Further, the petitioner herein has underwent for medical examination and the respondent police is yet to receive the medical examination report. However, the 2nd respondent is ready and willing to furnish the copy of the medical report and her statement, whenever they receive.

5.Considering the above submission, the 2nd respondent is directed to provide copy of the statement recorded from the petitioner herein and copy of the medical examination report, immediately after receipt from the medical board in pursuant to the Crime No.12 of 2020 forthwith.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The Commissioner of Police,
Chennai City,
Chennai - 600 007.
- 2.The Additional Deputy Commissioner of Police,
Prevention of Crime against Women and Children,
Vepery, Chennai - 600 007.
- 3.The Sub-Inspector of Police,
W8 Thirumangalam AWPS Police Station,
Chennai - 600 101.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.13695 of 2020

vsn II[co]
srg 06/10/2020