

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :08.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

W.P.NO.14123 OF 2020

R.Selva Kumar

.. Petitioner

Vs.

1. The Director General of Police,
Dr.Radhakrishnan Road, Mylapore, Chennai - 600 004.
2. The Additional Director General of Police,
(Law and Order), Dr.Radhakrishnan Road,
Mylapore, Chennai - 600 004.
3. The District Collector,
District Collector Office - Tiruppur,
Karupagaundanpalayam, Tiruppur - 641 604.
4. The Superintendent of Police,
District Police Office, Angeripalayam Main Road,
Tirupur - 641 603.
5. The Inspector of Police,
Kundadam Police Station,
Dharapuram Road, Kundadam,
Tirupur District - 638 702.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to change the investigation of the case in Crime No.886 of 2020 dated 24.08.2020 on the file of the fifth respondent into CBCID or any other competent independent agency.

For Petitioner : Mr.A.Deivasigamani
for Mr.S.Saravanan
For Respondents : Mrs.M.Prabhavathi
Additional Public Prosecutor

O R D E R

This Writ Petition has been filed for issuance of writ of mandamus directing the respondent to change the investigation of the case registered in Crime No.886 of 2020 dated 24.08.2020

from the file of the fifth respondent to the file of CBCID or any other competent agency for proper investigation.

2. It is the grievance of the petitioner is that on 23.08.2020, the proposed accused who have named in the FIR which registered in crime No.886 of 2020 on the file of the fifth respondent attacked the family members of the petitioner and for which, the above referred case has been registered. After the registration of the case, during the time of investigation, the fifth respondent who is the investigation officer of the said case instead of securing the accused, harassed the petitioner and his family members. Further, he has not included the sections namely 120(b), 307 of IPC and 4 of Tamilnadu Women Harassment Act, 2005 along with other offences. Therefore, the petitioner herein suspected over the manner of investigation conducted by the fifth respondent and so he has approached this Court for the above said prayer.

3. Heard Mr.A.Deivasigamani, learned counsel representing Mr.S.Saravanan, learned counsel for the petitioner and Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing for the respondents police.

4. Learned counsel for the petitioner would submit that though this petition has been filed for the change of investigation in crime No.886 of 2020, it would suffice to direct any superior police officer to monitor the investigation made in the above referred case.

5. Accordingly, in view of the limited prayer sought for by the petitioner, this Court is of the opinion that directing the Deputy Superintendent of Police, Dharapuram to monitor the investigation made by the fifth respondent police in Crime No.886 of 2020.

6. Accordingly, this Writ Petition is disposed of by directing the Deputy Superintendent of Police, Dharapuram to monitor the investigation made by the fifth respondent in Crime No.886 of 2020. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore, Chennai - 600 004.
 2. The Additional Director General of Police,
(Law and Order),
Dr.Radhakrishnan Road,
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 5. The Inspector of Police,
Kundadam Police Station,
Dharapuram Road, Kundadam,
Tirupur District - 638 702.
 6. The Deputy Superintendent of Police,
Dharapuram.
 7. The Public Prosecutor,
High Court, Madras.
- +1cc to Mr.S.Saravanan, Advocate, S.R.No.33250

GJ(CO)
CS/05/11/2020

W.P.No.14123 of 2020

सत्यमेव जयते

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