

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.28646 of 2019
and Crl.M.P.No.15257 of 2019

D.Monisha

...Petitioner

Vs.

1.State Rep By
Inspector of Police
All Women Police Station
Poonamallee, Chennai - 600056.

2.Dinesh Babu

3.Mani

4.Kunavathi

5.Poornima

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., praying to transfer the investigation in Crime No.20 of 2019 from the file of the First respondent to any Deputy Superintendent of Police.

For Petitioners: Mr.S.Kathiravan

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor for R1

: Mr.A. Tamil Rajan (for R2 to R5)

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.20 of 2019 from the file of the first respondent to any Deputy Superintendent of Police.

2. Learned Counsel for the petitioner submits that on the private complaint lodged by the petitioner, the learned Judicial Magistrate-II, Poonamallee directed the first respondent to investigate the matter under Section 173 of Cr.P.C. On the direction, the first respondent police registered a case in Crime No.20 of 2019 for the offence under Section 498(A) I.P.C.

3. Learned Counsel for the petitioner further submit that though the other offences attracted as against the second respondent as well as other family members. The first respondent has not registered a case as against the other family members of the second respondent. Therefore, he prayed to transfer of investigation.

4. Considering the above submissions, the first respondent police is directed to investigate the complaint and file a report within a period of twelve weeks from the date of receipt of a copy of this order. On the investigation, if there is any allegations found as against the other accused persons and also other offences, the first respondent is directed to alter the First Information Report, accordingly. Assistant Commissioner, Poonamallee, is directed to monitor the investigation would be conducted by the first respondent.

5. With the above directions, this criminal original petition is disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IIII)

//True Copy//

Sub Assistant Registrar

dm
To

1.The Judicial Magistrate-II, Poonamallee.

2.Inspector of Police
All Women Police Station
Poonamallee, Chennai - 600 056.

3.The Assistant Commissioner, Poonamallee.

4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.Kathiravan, Advocate, S.R.No.23262

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KS (CO)
EU 24.06.2020