



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2020

CORAM:

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P. (MD)No.2098 of 2020

S.Lakshmi

.. Petitioner/Defacto
Complainant

Vs.

1. The Superintendent of Police,
District Police Office,
Madurai Main Road,
Madurai.

2.The Deputy Superintendent of Police,
Uthamapalayam,
Theni District.

3.The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam,
Theni District.

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the first respondent to transfer the investigation in Crime No.210 of 2019 dated 23.11.2019 pending before the third respondent herein or any competent investigation agency to proceed further investigation within the stipulated time fixed by this Court.

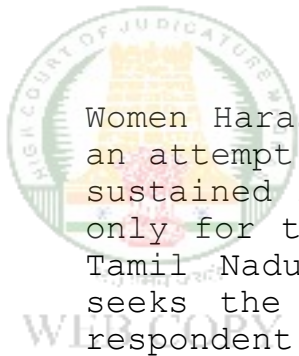
For Petitioner : Mr.K.Safar Badhusa

For Respondents : Mrs.S.Bharathi,
Government Advocate (Criminal side)

ORDER

This petition has been filed seeking direction to direct the first respondent to transfer the investigation in Crime No.210 of 2019 dated 23.11.2019 pending before the third respondent herein or any competing investigation agency to proceed further investigation within the stipulated time fixed by this Court.

2. The learned counsel for the petitioner would submit that the petitioner has given a complaint against one Narasinkan for having assaulted her and her son with a wooden log with an intention to kill them. He would further submit that on the complaint given by the petitioner, a case has been registered in Crime No.210 of 2019 under Section 324 IPC and Section 4 of the Tamil Nadu Prohibition of



Women Harassment Act. He would further submit that though there was an attempt made on the life of the petitioner and the petitioner has sustained injuries, ignoring the same, the case has been registered only for the offences under Section 324 IPC., and Section 4 of the Tamil Nadu Prohibition of Women Harassment Act and therefore, he seeks the case has to be transferred from the file of the third respondent to any other competent investigation agency.

3. The learned Government Advocate (Criminal side) would submit that the complaint was given by the petitioner on 23.11.2019 in respect of the incident took place on 21.11.2019. Based on the complaint given by the petitioner, a case has been registered for the offences under Section 324 IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act. He would submit that investigation agency is awaiting the medical opinion from the concerned Doctor, who has treated the petitioner and her son and based on the medical opinion and the statement of the Doctor, the respondent police will take appropriate action. However, she would submit that if the petitioner is not satisfied with the investigation done by the third respondent, a direction may be issued to the second respondent to monitor the investigation.

4. The learned counsel for the petitioner would also submit that it would suffice that the investigation be monitored by the second respondent.

5. Recording the same, this Criminal Original Petition stands closed with a direction to the second respondent to monitor the investigation of the case in Crime No.210 of 2019 done by the third respondent.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

To

1. The Superintendent of Police,
District Police Office,
Madurai Main Road,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Deputy Superintendent of Police,
Uthamapalayam,
Theni District.

3.The Inspector of Police,
Uthamapalayam Police Station,
Uthamapalayam,
Theni District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to Mr.K.SAFER BADHUSA, Advocate (SR-5326[F]dated 07/02/2020)

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VB(26.02.2020) 3P 6C