



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

CRL OP(MD)No.7614 of 2020

Lakshmi

... Petitioner

Vs.

1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2.The Inspector of Police,
District Crime Branch,
Collectorate Campus, Virudhunagar,
Virudhunagar District.

3.Seenivasagan

... Respondents

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, praying to transfer the enquiry of the petitioner's complaint dated 18.06.2020 from the second respondent to the first respondent for conducting enquiry.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.S.Chandrasekar

R1 & R2 Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the first respondent to transfer the enquiry relates to the petitioner's complaint dated 18.06.2020 from the file of the second respondent to the file of the first respondent.

2.Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor for the respondent police.

3.Today when the matter is taken up for hearing, the learned counsel appearing for the petitioner would submit that though the petitioner has lodged a complaint before the first and the second respondents, they have not initiated any enquiry so far. Hence, appropriate direction is necessary for conducting the investigation in respect of the complaint given by the petitioner, dated 18.06.2020.

4.The learned Additional Public Prosecutor appearing for the respondent police, on instructions, would submit that as of now, the first respondent has not received any complaint from the petitioner. He would further submit that though the second respondent has received the complaint form the petitioner, he is not acted upon the complaint given by the petitioner because of the reason that he is not an independent authority. In this regard, he requested to pass



an order for lodging a fresh complaint before the first respondent. The submission made by the learned Additional Public Prosecutor is recorded.

5.Considering the facts and circumstances of the case, this Court directs the petitioner to lodge a complaint before the first respondent within a period of one week from the date of receipt of a copy of this order. On receipt of such complaint, the first respondent is directed to forward the said complaint given by the petitioner to the concerned police, who in turn is directed to initiate the enquiry and complete the same within a period of three months thereafter.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
- 2.The Inspector of Police,
District Crime Branch,
Collectorate Campus, Virudhunagar,
Virudhunagar District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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