



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.08.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

CrI.O.P.(MD)No.8151 of 2020

Palanisamy

... Petitioner

Vs.

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

2.The Inspector of Police,
Thanthonimalai Police Station,
Thanthonimalai, Karur District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to withdraw the case in crime No.87 of 2020 on the file of the second respondent and transfer the same to any other competent investigating officer or agency based on the petitioner's representation dated 09.06.2020.

For Petitioner : Mr.J.Sivaram

For Respondents : Mr.S.Chandrasekar

Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking a direction to direct the first respondent to withdraw the case in crime No.87 of 2020 on the file of the second respondent and transfer the same to any other competent Investigation Officer.

2.The learned counsel appearing for the petitioner would submit that during the time of occurrence the wife of the petitioner, after completing her regular work, did not come to the home. Thereby, based on the complaint given by the petitioner, a case has been registered by the second respondent police in crime No.87 of 2020 for the provisions of 'woman missing'. According to him, after registration of the case, the victim has not been traced out and therefore, change of investigation is necessary.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that during the time of investigation, it was identified that the wife of the petitioner, who is working as a siddhal, has eloped with one Subramani, who is working as mason. He would further submit that after elopement, whereabouts of the petitioner's wife and the said Subramani has not been traced out.



Now the second respondent is collected the call details in respect to the wife of the petitioner.

4.Considering the facts and circumstances of the case, since the wife of the petitioner is a major, it cannot be said that the offence was committed without her knowledge. However, it is appropriate to give a direction to the Deputy Superintendent of Police, Karur to monitor the case.

5.In the result, this criminal original petition is disposed of with a direction to the Deputy Superintendent of Police, Karur to monitor the investigation in crime No.87 of 2020 pending on the file of the second respondent.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

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,
Karur District, Karur.

2.The Inspector of Police,
Thanthonimalai Police Station,
Thanthonimalai, Karur District.

3. The Deputy Superintendent of Police, Karur, Karur District.

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

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KMV(CO)

TR(21.08.2020) 2P 5C