



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2020

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WEB COPY

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

Crl.O.P. (MD)No.11469 of 2020

S.Sumathi

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Valliyoor Sub-Division,
Tirunelveli District.

3.The Inspector of Police,
Radhapuram Police Station, (Koodankulam Circle),
Tirunelveli District.

4.The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.

5.K.Subramaniyan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to appoint a Women Police Officer not below the rank of the Deputy Superintendent of Police, to enquire into the petitioner's complaint dated 07.09.2020 submitted before the first respondent, which was forwarded for enquiry to the third respondent by considering her representation dated 03.10.2020, within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For R1 to R4 : Ms.S.E.Veronica Vincent,
Government Advocate.

For R5 : Mr.A.Balakrishnan



ORDER

This criminal original petition has been filed to direct the first respondent to appoint a Women Police Officer not below the rank of the Deputy Superintendent of Police, to enquire into the petitioner's complaint dated 07.09.2020 submitted before the first respondent, which was forwarded for enquiry to the third respondent by considering her representation dated 03.10.2020, within the time stipulated by this Court.

2.The learned counsel appearing for the petitioner would submit that though offence under Section 376 IPC has been made out as against the fifth respondent, the same has not been included. He would further submit that the fifth respondent is working in the same Police Station and therefore, she apprehends that there may not be any fair investigation and hence, the petitioner filed this petition seeking the aforesaid relief.

3.The learned Government Advocate appearing for the official respondents, on instructions, would submit that based on the complaint given by the petitioner, a case has been registered in crime No.228 of 2020.

4.Considering the submissions of the learned counsel for the petitioner and considering the allegations made by the petitioner against the fifth respondent, who is a Police Constable, it will be appropriate to give a direction to the second respondent to monitor the investigation. Accordingly, the second respondent is directed to monitor the investigation in crime No.228 of 2020.

5.With the above direction, this criminal original petition is disposed of.

Sd/-

Assistant Registrar(AD-I)

/True copy/

Sub Assistant Registrar(CS-)

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,
Office of the Superintendent of Police,
Tirunelveli District.

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



2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Valliyoor Sub-Division, Tirunelveli District.

3.The Inspector of Police,
Radhapuram Police Station, (Koodankulam Circle),
Tirunelveli District.

4.The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.

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

Crl.O.P. (MD) No.11469 of 2020
09.12.2020

GNS

PK/07.01.2021 : 3P/6C