

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 09.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.7570 of 2021

S.Rajalakshmi

... Petitioner

Vs.

1.The Deputy Commissioner of Police,
Anna Nagar, Chennai.

2.The Assistant Commissioner of Police,
Anna Nagar, Chennai.

3.The Inspector of Police (Law and Order),
K-3, Police Station, Aminjikarai,
Chennai - 600 029.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to transfer the investigation, from the respondents herein to another agency, namely, Central Crime Branch of Police (CCB Chennai) to investigate into the petitioner's complaint dated 21.11.2017 and the directions given by this Court on 10.01.2018 in Crl.O.P.No.29261 of 2017.

For Petitioner : Mr.V.Jayaprakash

For Respondents : Mr.A.Damodaran
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed to transfer the investigation from the third respondent to any other investigation wing for investigation.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.

3. It is seen that the petitioner has lodged a complaint on 21.11.2017 before the respondents-Police. Since the third respondent did not take any action on the complaint, she had filed a petition before this Court in Crl.O.P.No.29261 of 2017 seeking a direction to the third respondent-police to register her complaint dated 21.11.2017 and to take up the investigation as per law. This Court had issued a direction by an order dated 10.01.2018, directing the third respondent to conduct an enquiry on the complaint and if the complaint

discloses any commission of cognizable offence, register the same or if no cognizable offence is made, close the same. Even till today, the third respondent did not comply with the direction issued by this Court and as such the petitioner has sought for transfer of investigation on her complaint dated 21.11.2017.

4. Admittedly, till today, no F.I.R. has been registered by the third respondent on the complaint dated 21.11.2017 lodged by the petitioner. Therefore, no investigation is pending on the file of the third respondent and as such the change of investigation does not arise. However, the third respondent even till today, not enquired the complaint dated 21.11.2017. Considering the same, the third respondent is directed to conduct an enquiry on the complaint dated 21.11.2017, if not conducted already and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rsi/rli

To

- 1.The Deputy Commissioner of Police,
Anna Nagar, Chennai.
- 2.The Assistant Commissioner of Police,
Anna Nagar, Chennai.
- 3.The Inspector of Police (Law and Order),
K-3, Police Station, Aminjikarai,
Chennai - 600 029.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.7570 of 2021

PCH(CO)

A.SK(13.07.2021)