



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 20.09.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.16930 of 2021

G.Srinivasan.

... Petitioner

Versus

1. State: rep. by its

The Director General of Police, (Law & Order),
Kamarajar Salai, Mylapore, Chennai - 600 004.

2. The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.

3. The Inspector of Police,
Teynampet Police Station,
Teynampet, Chennai - 600 018.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondents 1 and 2 to order for Transfer of the Investigation in respect of the case in Crime No.119/2019 pending on the file of the Inspector of Police, Teynampet Police Station, Teynampet, Chennai/3rd respondent herein to the file of Crime Branch CID or any other agency for proper investigation of the case.

For Petitioners : Mr.K.Premkumar.

For Respondents : Mr.A.Damodharan,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to direct the respondents 1 and 2 to Transfer the Investigation in respect of Crime No.119/2019 from the 3rd respondent to the file of Crime Branch CID or any other agency for proper investigation of the case.

2. The contention of the petitioner is that the petitioner's mother Kumari was residing alone in the ground floor of Housing Board flat situated in St.Thomas Road, T.Nagar, Chennai. In the first floor of the said TNHB Apartment, one Revathi, and her Seenu are residing. On 20.03.2021, the said Seenu, who is about 13 years, had come and sat in front of the house of the petitioner's mother, which was objected by her. At that time, the said Seenu, who



is a juvenile, had abused his mother and also kicked her. Getting humiliated on the same, his mother had poured kerosene herself and set fire. Later, she was rushed to the Government Hospital, Kilpauk. In the ambulance, based on her statement, offences under Sections 294(b), 323 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, against the Seenu alone, has been registered. But, no action has been taken.

3. The learned counsel for the petitioner would submit that the accused is not a juvenile. He is aged about 17 years. As per the Juvenile Justice (Care and Protection of Children) Act, 2015 if a person, who is between the age of 16 - 18 years, to be considered as adult, for which enquiry to be conducted, and it has to be determined. Thereafter, he has been proceeded as an adult.

4. The learned Additional Public Prosecutor appearing for the respondents would submit that now the case was altered into Section 294(b), 323 & 306 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. He further submitted that in this case, investigation completed, final report has been filed before the Children Court, Kellys since the complaint is made against the person, who is a juvenile, aged about 13 years.

5. In view of the same, this Criminal Original Petition is dismissed with liberty to the petitioner to make his objections before the Children Court, Kellys.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mrp /mpl

To

1. The Director General of Police, (Law & Order),
Kamarajar Salai, Mylapore, Chennai - 600 004.

2. The Commissioner of Police,
Greater Chennai Police,
Vepery, Chennai - 600 007.

3. The Inspector of Police,
Teynampet Police Station,
Teynampet, Chennai - 600 018.

4. The Public Prosecutor, High Court, Madras.

+1 cc to Mr.K.Prem Kumar, Advocate Sr.NO. 47814

CRL.O.P.No.16930 of 2021

sj (CO)

A.SK(25.10.2021)