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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Cr1.O.P.No.17740 of 2021

S.Manikandan

... Petitioner

Vs.

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

2.The Inspector of Police,
Thudiyalur All Woman Police Station,
Thudiyalur, Coimbatore District.

3.The Inspector of Police,
CBCID, Coimbatore District.

... Respondents

PRAYER: Criminal Original Petition has been filed under Section 482 of the Code of Criminal Procedure to transfer the investigation in Crime No.13/2021 on the file of the 2nd respondent to the 3rd respondent.

For Petitioner : Mr.Susikumar
for Mr.R.Maheswaran

For Respondents: Mr.R.Vinothraja
Govt.Advocate (Cr1.side)

ORDER

The criminal original petition has been filed to transfer the investigation in Crime No.13/2021 on the file of the 2nd respondent to the 3rd respondent.

2.The petitioner, who is the brother of the victim, lodged a complaint stating that his sister was married to one Paulraj, who is his paternal uncle, two years prior. After the marriage, they were living together and subsequently, they saw an advertisement indicating that job vacancy is available at Annur in Tirupur District. Thereafter, on seeing the same, on 23.05.2021, they came to Tiruppur and contacted one Nagendran. The said Nagendran introduced them to one Moideen kutty and Moideen Kutty took them to Annur and arranged a house for them



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near his house and informed them that he is running a bakery shop and after pandemic situation, when the bakery starts functioning, he will give them employment. In the meanwhile, her husband got an employment in a spinning Mill and he was attending the work. The bakery owner Moideen kutty, taking advantage of the victim being alone, on 05.06.2021, 07.06.2021 and 09.06.2021 along with two of his friends viz., Sameer and Sigabudeen, committed forcible rape on the victim and the victim informed the same to her husband and later, on 17.06.2021, a complaint was lodged. Now, the petitioner and the victim have come to know that her husband Paulraj is the main cause of the entire act of the other accused. Already three cases are pending against the said Paulraj, who is the husband of the victim. In view of the same, the respondent police have not conducted proper investigation.

3.The learned Government Advocate (Crl.side) submits that in this case, complaint has been lodged on 17.06.2021 and investigation commenced and all steps have also been taken to conduct proper investigation. The character and conduct of Paulraj is now made known to the respondent police and will be taken into consideration, all the offenders would be dealt with severely according to law.

4.Considering the submissions and perusal of the materials, the main apprehension of the petitioner is that his sister victim would not get proper justice. In view of the same, the Deputy Superintendent of Police, Periyanaayakkanpalayam, is directed to monitor the investigation and to file a final report within a period of three months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sms
To

- 1.The Superintendent of Police,
Coimbatore, Coimbatore District.
- 2.The Inspector of Police,
Thudiyalur All Woman Police Station,
Thudiyalur, Coimbatore District.



3.The Inspector of Police,
CBCID, Coimbatore District.

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4.The Deputy Superintendent of Police,
Periyanayakkanpalayam.

5.The Public Prosecutor,
High Court, Madras.

Crl.O.P.No.17740 of 2021

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srg 17/11/2021