



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.02.2021

CORAM :

THE HONOURABLE **Mrs. JUSTICE R. HEMALATHA**

Crl.O.P. (MD)No.1965 of 2021

M.Thangavel

... Petitioner

Vs.

1.The Superintendent of Police,
O/o.The Superintendent of Police,
Dindigul.

2.The Deputy Superintendent of Police,
O/o.The Superintendent of Police,
Vedasanthur, Dindigul.

3.The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai, Dindigul.

4.The Inspector of Police,
All Women Police Station,
Vadamadurai, Dindigul.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the first respondent to transfer the investigation in Crime No.57 of 2021 on the file of the third respondent to some other investigation agency under the supervision of the first respondent and direct them to file a final report.

For Petitioner	: Mr.V.Muthu Samundeeswaran
For Respondents	: Mr.S.Chandrasekar
	Additional Public Prosecutor

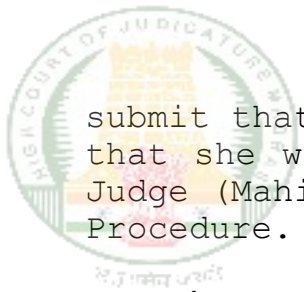
ORDER

The petitioner has filed the present petition under Section 482 of the Code of Criminal Procedure seeking for a direction to the first respondent to transfer the investigation in Crime No.57 of 2021 on the file of the third respondent to some other investigation agency.

2.The learned counsel appearing for the petitioner would submit that though the very serious allegations are levelled against the named accused, the police is yet to take action against them. He would further contend that the police did not record the statement of the victim, which is mandatory as per Section 24 of the Protection of Children from Sexual Offences Act, 2012.

3.Mr.S.Chandrasekar, learned Additional Public Prosecutor, who accepts notice on behalf of the respondents, on instructions, would

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



submit that the victim girl was medically examined on 05.02.2021 and that she would be examined on 12.02.2021 by the learned Additional Judge (Mahila Court), Dindigul under Section 164 of Code of Criminal Procedure.

4.At this juncture, the learned counsel for the petitioner contended that though the petitioner sought for larger relief of transferring the investigation from the file of the third respondent, it would be sufficient, if the investigation is monitored by the second respondent Deputy Superintendent of Police, Vedsanthur, Dindigul.

5.Considering the submissions made by the learned counsel for the petitioner, the Criminal Original Petition is disposed of with a direction to the second respondent to monitor the investigation of the third respondent in Crime No.57 of 2021. This is apart from the Special Team formed by Deputy General of Police, Chennai based on the directions of the Hon'ble Supreme Court, which is supposed to oversee the investigation in Protection of Children from Sexual Offences Act cases.

Sd/-

Assistant Registrar ()

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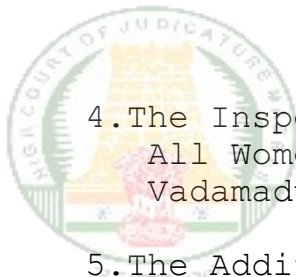
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Sub Assistant Registrar(CS)

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,
O/o.The Superintendent of Police,
Dindigul.
- 2.The Deputy Superintendent of Police,
O/o.The Superintendent of Police,
Vedsanthur, Dindigul.
- 3.The Inspector of Police,
Vadamadurai Police Station,
Vadamadurai, Dindigul.



4.The Inspector of Police,
All Women Police Station,
Vadamadurai, Dindigul.

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

6.The Deputy General of Police,
Special Team for Protection of
Children from Sexual Offences Act Cases,
Chennai.

+1 CC to M/s.S.V.MUTHUSAMUNDEESWARAN, Advocate (SR-4469[F] dated
11/02/2021)

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KB(05.03.2021) 3P 8C