



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE **R.THARANI**

Crl.O.P.(MD)No.4240 of 2021

Suganya

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Assistant Commissioner of Police,
Thallakulam, Madurai City.

3.The Inspector of Police,
Thiruppalai Police Station,
Madurai District.

4.The Inspector of Police,
All Woman Police Station,
Thallakulam, Madurai City.

5.Kathiresan

6.J.Jayakodi

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C., to withdraw and transfer enquiry of the Petitioner complaint, dated 15.03.2021 from the third Respondent to the second Respondent.

For Petitioner

: Mr.R.Murugappan

For R1 to R4

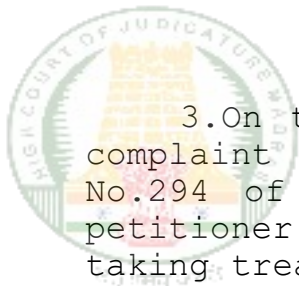
: Mr.S.Chandrasekar

Additional Public Prosecutor

ORDER

The present petition is filed by the petitioner under Section 482 of Code of Criminal Procedure seeking for a direction to withdraw and to transfer enquiry of the petitioner's complaint, dated 15.03.2021 from the third Respondent to the second Respondent.

2.On the side of the petitioner, it is stated that the petitioner is working as a home nurse, when she is doing work at the house of one Ashok Kumar. At that time, one Kathiresan, two Sub Inspectors of Police and 15 others entered into the house and attacked her and outraged her modesty and took obscene photographs. The petitioner lodged a complaint before the first and third respondents on 15.03.2021, but, today(19.03.2021), the police took her to the Station and prayed the investigation to be transferred to the second respondent.



3.On the side of the respondents 1 to 4, it is stated that a complaint was lodged against the petitioner and a F.I,R, in Crime No.294 of 2021 was registered by the fourth respondent and the petitioner is arrested and the defacto complainant and his wife were taking treatment in the hospital.

WEB COPY

4.It is seen that the petitioner lodged a complaint on 15.03.2021 and the complaint was registered only as C.S.R.No.232 of 2021, on 17.03.2021. The counter case is filed only today, ie., on 19.03.2021, and the F.I.R. was registered by the Tallakulam Police Station in Crime No.297 of 2021 against the petitioner. The allegation put forth by the petitioner is that two Sub Inspectors of Police came into the house, where, she was working and they also outraged the modesty of the petitioner.

5.In view of the serious allegation put forth in the petition and in view of the fact that two Sub Inspector of Police were alleged to have involved in the offence, the case before **the third respondent is transferred to the second respondent** for investigation. The first respondent is hereby directed to monitor the investigation. With the above directions, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

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.

Ls



To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Assistant Commissioner of Police,
Thallakulam, Madurai City.
- 3.The Inspector of Police,
Thiruppalai Police Station,
Madurai District.
- 4.The Inspector of Police,
All Woman Police Station,
Thallakulam, Madurai City.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.4240 of 2021

19.03.2021

mmp(04.05.2021) 3P 6C