



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:02.09.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P. (MD) .No.5809 of 2021

Rajanbabu

... Petitioner

Vs.

- 1.The Inspector of Police,
South Zone, Natham Road,
Madurai.
- 2.The Deputy Inspector General of Police,
Madurai Zone,
Madurai.
- 3.The Superintendent of Police,
Madurai District,
Madurai.
- 4.The Deputy Superintendent of Police,
Melur,
Madurai District.
- 5.The Inspector of Police,
All Women Police Station,
Melur,
Madurai District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to withdraw and transfer the investigation in the matter relating to the Crime No.13 of 2021 on the file of the 5th respondent and entrust the same to respondent No.4 for investigation of the case by a Competent Officer and file a final report before the appropriate Jurisdictional Magistrate within the time stipulated by this Court.

For Petitioners : Mr.P.Banuprasath
For R1 & R2 : Mr.R.M.Anbunithi
Additional Public Prosecutor

O R D E R

This petition has been filed to withdraw and transfer the investigation in the matter relating to the Crime No.13 of 2021 on the file of the 5th respondent and entrust the same to respondent No.4 for investigation of the case by a Competent Officer and file a final report before the appropriate Jurisdictional Magistrate within the time stipulated by this Court.



2.The learned counsel appearing for the petitioner would submit that the petitioner is the defacto complainant in Crime No.13 of 2021. Even after a lapse of five months, investigation is not completed and the final report has not been filed before the concerned Court.

WEB COPY

3.The learned Additional Public Prosecutor would submit that the investigation has been completed and the final report was also filed before the learned Special Court for Exclusive Trial of Cases under POCSO Act, Madurai.

4.But, however, the learned counsel for the petitioner would submit that on 23.08.2021, anticipatory bail application was moved by the accused persons. At that time, it was informed to the Court that the investigation is not completed.

5.Even though such wrong information furnished to this Court, from the information furnished by the learned Additional Public Prosecutor, it is seen that the final report has been filed before the Concerned Court. Hence, there is no question of transfer the investigation. However, there shall be a direction to the learned Special Court for Exclusive Trial of Cases under POCSO Act, Madurai to complete the trial within a period of six months from the date of receipt of a copy of this Order.

6.Accordingly, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS II)

// 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.

To

1.The Presiding Officer,
Special Court for POCSO Cases,
Madurai.



2.The Inspector of Police,
South Zone, Natham Road,
Madurai.

3.The Deputy Inspector General of Police,
Madurai Zone,
Madurai.

4.The Superintendent of Police,
Madurai District,
Madurai.

5.The Deputy Superintendent of Police,
Melur,
Madurai District.

6.The Inspector of Police,
All Women Police Station,
Melur,
Madurai District.

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

CrI.O.P. (MD) .No.5809 of 2021

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