



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2021

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR
Crl.O.P. (MD)No.6292 of 2019

Udhayakumar

... Petitioner

vs.

1.The Commissioner of Police,
Trichy Corporation,
Trichy.

2.The Inspector of Police,
All Women Police Station,
Srirangam,
Trichy District.
in Crime No.31 of 2018

3.The Inspector of Police,
CBCID,
Jamal Mohamed College,
Tiruchirappalli.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to direct the first respondent to transfer the case from the second respondent to third respondent in connection with Crime No.31 of 2018 dated 11.11.2018 on the file of the All Women Police Station, Srirangam under the supervising of the first respondent.

For Petitioner : Mr.A.Vadivel

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking orders to transfer the case in Crime No.31 of 2018 dated 11.11.2018 from the file of the second respondent to the third respondent.



2. The main contention of the petitioner is that without his knowledge and consent, his wife's pregnancy was aborted in Arokya Hospital, Ramalinga Nagar, Woraiyur, Trichy.

3. The learned Additional Public Prosecutor would submit that the petitioner and his wife were living separately. Since petitioner's wife had developed some problems relating to pregnancy, she went to the hospital and got aborted. The learned Additional Public Prosecutor would further submit that after investigation, they have filed a final report as 'mistake of fact' and already submitted a closure report before the jurisdictional Magistrate Court. Since FIR was closed as 'mistake of fact', nothing survives for further adjudication.

4. Recording the same, this Criminal Original Petition is dismissed as infructuous.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

csm

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 Commissioner of Police,
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Trichy.

2. The Inspector of Police,
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Srirangam,
Trichy District.
in Crime No.31 of 2018

3. The Inspector of Police,
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<https://hcservices.ecourts.gov.in/hcservices/>



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

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