



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2021

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.19561 of 2021

S.Sellameenakshi @ Sri Dhinesha ... Petitioner

Vs.

1. The Commissioner of Police,
Madurai City, Madurai.
2. The Assistant Commissioner of Police,
Madurai City, Madurai.
3. The Inspector of Police,
Mattuthavani Police Station,
Madurai City.
(In Crime No.2053 of 2021) ... Respondents

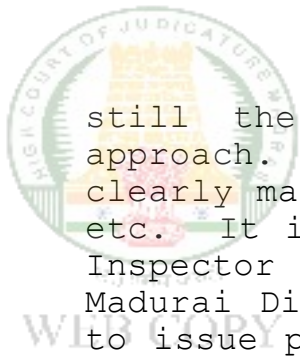
Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent transfer the investigation on the file of 3rd respondent in FIR in Crime No.2053 of 2021 dated 29.11.2021 to some other investigating officer to investigate the case in accordance with law.

For Petitioner : Mr.J.Sivakumar
For Respondents : Mr.M.Sakthi Kumar,
Govt. Advocate (Crl. Side).

O R D E R

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondents.

2.The petitioner got married to one Sinthanai Arasu on 31.08.2020. According to the petitioner, her marriage was performed in a grand manner. She also became pregnant. She alleges that she was made to abort the conception. She also alleged that unable to bear the cruelty at the hands of her husband and in-laws, she attempted to even end her life. When she gave a complaint before Mattuthavani police station, the case was registered against the petitioner under Section 309 r/w. 109 of IPC. In the case under Section 309 of IPC, the petitioner will be the first accused. Though attempt to commit suicide is a crime,



still the law enforcement authority must adopt an indulgent approach. A careful reading of the petitioner's complaint would clearly make out cognizable offences such as Section 498(A) of IPC etc. It is just and proper that this case is investigated by the Inspector of Police, All Women Police Station, Thallakulam, Madurai District. Therefore, the first respondent is called upon to issue proceedings to transfer the petition mentioned case from the file of the third respondent to the file of the Inspector of Police, All Women Police Station, Thallakulam, Madurai District. The criminal original petition stands allowed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Madurai City, Madurai.
2. The Assistant Commissioner of Police,
Madurai City, Madurai.
3. The Inspector of Police,
Mattuthavani Police Station,
Madurai City.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl.O.P (MD) No.19561 of 2021

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USK (28.12.2021) 2P 5C