



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.8549 of 2022

Virudhambal,
W/o.Ramamoorthy

...Petitioner / Defacto Complainant

Vs

1. The Superintendent of Police,
Cuddalore District.
2. The Deputy Superintendent of Police,
Cuddalore District.
3. The Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
4. The Sub Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to transfer the investigation in Crime No.1006 of 2020 pending investigation on the file of the fourth respondent and entrust the investigation of the same to any competent investigation officer in the rank of Superintendent of Police, Cuddalore to conduct the investigation in a fair and proper manner and file a final report in Crime No.1006 of 2020.

For Petitioner : Mr.S.Mohan

For Respondents : Mr.A.Gokulakrishnan

Additional Public Prosecutor

ORDER

This petition has been filed, to transfer the investigation in Crime No.1006 of 2020 pending investigation on the file of the fourth respondent and entrust the investigation of the same to any competent investigation officer in the rank of



Superintendent of Police, Cuddalore to conduct the investigation in a fair and proper manner and file a final report in Crime No.1006 of 2020.

2. The learned counsel for the petitioner would submit that on 30.12.2020 at about 07.00 PM, one Mr.Elangovan from the same village trespassed into the land of the petitioner and was taking sand illegally without the petitioner's permission. When it was questioned by the petitioner, the said Elangovan along with other accused namely Prakash, Birundha and Balu had joined together and scolded the petitioner with filthy and unparliamentary words and assaulted the petitioner using bricks on her right side hip and leg. Based on the complaint given by the petitioner, a case in Crime No.1006 of 2020 was registered by the fourth respondent for the offences punishable under Sections 294(b), 323, 324, 506(2) of I.P.C read with Section 4 of Prohibition of Harassment of Women Act, 2002.

3. The learned counsel for the petitioner would further submit that though the petitioner has made specific allegations against all the accused, the fourth respondent is attempting to do a compromise and stating that he will delete two other accused. He would further submit that the petitioner has no trust in the manner in which the fourth respondent is conducting the enquiry and thereby the present petition has been filed seeking to transfer the investigation on the file of the fourth respondent to any other officer. The learned counsel for the petitioner would further submit that it would suffice that the file may be transferred to the third respondent Inspector of Police.

4. The learned Additional Public Prosecutor for the respondents would submit that the case was registered during the year 2020. He would further submit that if the petitioner is not satisfied with the investigation done by the fourth respondent, the case will be transferred to the file of the third respondent and the second respondent may be directed to supervise and monitor the investigation done by the third respondent.

5. In view of the above, a direction is issued to the second respondent to transfer the investigation pending in Crime.No.1006 of 2020, now pending on the file of the fourth respondent to the file of the third respondent. The third respondent shall complete the investigation and file the final report within a period of three months from the date of receipt of a copy of this order. Meanwhile, the second respondent shall supervise and monitor the investigation which has to be done by the third respondent.



6. This Criminal Original Petition is disposed of with the above observations.

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Sd/-
Assistant Registrar(CS IV)

True Copy//

Sub Assistant Registrar

rgm/arb

To

1. The Superintendent of Police,
Cuddalore District.
2. The Deputy Superintendent of Police,
Cuddalore District.
3. The Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
4. The Sub Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
5. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.S.Mohan, Advocate, S.R.No.25645

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GPL[co]
NSK 02/05/2022