



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2022

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P.No.9595 of 2022

N.Nallammal

... Petitioner

Vs.

1. The Superintendent of Police,
Perambalur District,
Perambalur.

2. State Rep by,
The Inspector of Police,
Arumbavur Police Station,
Perambalur District.

(Crime No. 72/2022)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Code of Criminal Procedure, to direct the 1st respondent to transfer the case in Crime No.72/2022 on the file of 2nd respondent to any other officer not below the rank of Inspector of Police to investigate the same within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.S.Krishnamoorthy

For Respondents : Mr.A.Gokulakrishnan

Additional Public Prosecutor.

O R D E R

This Criminal Original Petition is filed to direct the 1st respondent to transfer the case in Crime No,72 of 2022 on the file of 2nd respondent to any other officer not below the rank of Inspector of Police to investigate the same within a time frame that may be fixed by this Court.

2. Learned counsel appearing for the petitioner would submit that the petitioner had given a complaint against her daughter in law and her relatives in respect of house breaking and causing damages to the house-hold articles on 06.01.2022. The petitioner had also lodged a complaint to the 2nd respondent/Police on 07.01.2022. However for the reasons best known, the 2nd respondent /Police has not taken any action against the petitioner's complaint. Thereafter, the petitioner



made a representation dated 15.01.2022 to the 1st respondent under Section 154(2) of Cr.P.C, which was also duly received by the 1st respondent. Even thereafter, the First Information Report was not registered and thereby, the petitioner was constrained to file a petition under Section 156(3) of Cr.P.C. before the District Munsif cum Judicial Magistrate, Veppanmathattai. The learned Magistrate had passed an order dated 17.02.2022 in C.M.P.No.38 of 2022, directing the respondents/ police to register a case and based on the above order, the First Information Report was registered against the accused persons in Crime No.72 of 2022 on the file of the 2nd respondent/Police. He would further submit that the 2nd respondent is not evincing any interest and he is not continuing with the investigation due to the influence of the accused. Hence, the present petition has been filed seeking to transfer the case.

3. Learned Additional Public Prosecutor appearing for the respondents would submit that it is a case arising out of matrimonial dispute and the investigation has been properly conducted. He would further submit that a direction may be issued to the Deputy Superintendent of Police, Perambalur to monitor the investigation.

4. Heard the learned counsel for the petitioner as well as the learned Additional Public Prosecutor appearing for the respondents and perused the materials available on records.

5. This Court is of the opinion that the complaint has been filed only after direction from the learned District Munsif cum Judicial Magistrate, Veppanmathattai and it is the grievance of the petitioner that after registration of the case, there is no progress. In view of the above, a direction is issued to the Deputy Superintendent of Police, Perambalur to monitor the investigation done by the 2nd respondent Police in Crime No. 72 of 2022. The 2nd respondent shall complete the investigation and file the final report before the Court concerned within a period of six months from the date of receipt of a copy of this order.

6. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

vkr/nti



To

1. The District Munsif cum Judicial Magistrate,
Veppanthattai
2. The Superintendent of Police,
Perambalur District,
Perambalur.
3. The Inspector of Police,
Arumbavur Police Station,
Perambalur District.
4. The Deputy Superintendent of Police,
Perambalur, Perambalur District.
5. The Public Prosecutor,
High Court of Madras.

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VBM(CO)
CT 10/05/2022