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CrI.O.P.No.27699 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

CrI.O.P.No.27699 of 2022

M.Jaya

... Petitioner

/vs/

1.State Rep. By

The Superintendent of Police,
Office of the Superintendent of Police,
Namakkal District.

2.The Inspector of Police,
All Women Police Station,
Rasipuram Police Station,
Namakkal District.
(Crime No.10 of 2022)

... Respondents

Prayer : Criminal Original Petition has been filed under Section 482 of Cr.P.C. to issue a direction to the first respondent to transfer of investigation in Crime No.10 of 2022 pending on the file of the second respondent police and transfer the same to some other competent agency.

For Petitioner

... Mr.M.K.Bhoopathy Rajan

For Respondents

... Mr.S.Santhosh,



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Govt. Advocate (Crl.Side)

ORDER

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This Criminal Original Petition has been filed to issue a direction to the first respondent to transfer the investigation in Crime No.10 of 2022 pending on the file of the second respondent police to some other competent agency.

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

3. The learned counsel for the petitioner submitted that on the complaint given by the petitioner, the case has been registered against the accused for the offence under Sections 120B, 294(b), 323, 354, 376, 498(A) and 506(ii) of IPC. on 13.07.2022; the investigation has not been done in proper and fair manner; hence she has filed this petition to transfer the investigation on the file of the second respondent police to some other competent agency.

4. The learned Government Advocate (Crl.Side) submitted that the



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investigation in this case has already been completed and the police has arrived at a conclusion that the complaint is a “mistake of fact”; however, the final report has not yet been filed in the Court.

5. It is obligatory on the part of the second respondent to give referred charge sheet notice to the petitioner while filing the final report in the Court. In that event, on seeing the final report, if the petitioner is not satisfied, she is at liberty to initiate appropriate proceedings in accordance with law.

6. With the above observations, this Criminal Original Petition is disposed.

11.11.2022

Index: Yes/No
Internet: Yes/No
gsk



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R.N.MANJULA ,J.

gsk

To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Namakkal District.
- 2.The Inspector of Police,
All Women Police Station,
Rasipuram Police Station,
Namakkal District.
- 3.The Public Prosecutor,
High Court, Madras.

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