



Crl.O.P.No.30769 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.30769 of 2022

Sulochana

... Petitioner

Vs.

1.The Superintendent of Police
Salem District.

2. The Deputy Superintendent of Police,
Attur Sub-Division,
Salem District.

3.The Inspector of Police,
Malliyakarai Police Station,
Salem District.
(Crime No.156 of 2021)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to transfer investigation in Crime No.156 of 2021 on the file of the Inspector of Police, Malliyakarai Police Station, Salem District to the Deputy Superintendent of Police, Valapady Sub-Division.



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For Petitioner : Mr.B.Vasudevan

For Respondents : Mr.S.Santhosh

Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.156 of 2021 on the file of the third respondent to the Deputy Superintendent of Police, Valapady Sub-Division.

2. The learned counsel for the petitioner submitted that on the basis of the complaint given by the petitioner, a case in Crime No.156 of 2021 has been registered for the offence under Sections 294(b), 447, 506(i) of IPC and Section 3(1)(r), 3(1)(s) the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015. After registration of the case, the third respondent police has not taken any effective steps to proceed further in this case. Therefore, this petition has been filed.



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3. The learned Government Advocate (Crl.side) for the respondents submitted that on the complaint given by the petitioner, enquiry has been conducted. During the course of investigation, it was found that the allegation made in the complaint are not true. Therefore, the case registered in Crime No.156 of 2021 has been closed as mistake of fact and the RCS notice was also served on the petitioner.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondents.

5. In the light of the submissions made by the learned Government Advocate (Crl.side), this Court is of the view that the prayer sought by the petitioner to transfer the investigation cannot be entertained. It is open to the petitioner to workout her remedy in the manner known to law against the closure report.



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G.CHANDRASEKHARAN, J.

shk

6. Accordingly, this Criminal Original Petition stands dismissed.

13.12.2022

Internet: Yes

Index: Yes/No

Speaking/Non speaking order

shk

To

1. The Superintendent of Police
Salem District.
2. The Deputy Superintendent of Police,
Attur Sub-Division,
Salem District.
3. The Inspector of Police,
Malliyakarai Police Station,
Salem District.
4. The Public Prosecutor,
High Court of Madras.

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