



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.2975 of 2022

Sumathi

... Petitioner

Vs.

1.The Superintendent of Police,
Karur.

2.The State thro' Inspector of Police,
All Women Police Station,
Kulithalai,
Karur District.
(Crime No.2 of 2020)

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the investigation in Crime No.2 of 2020 on the file of the second respondent to some other honest, impartial lady officer not below the rank of Deputy Superintendent of Police working under the first respondent and further direct the first respondent to monitor the said investigation and file the final report within a time frame fixed by this Court.

For Petitioner : Mr.RM.Sivakumar

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to transfer the investigation in Crime No.2 of 2020 from the file of the second respondent to some other investigating agency.

2.The case of the petitioner is that she got married with one Paramasivam and after two years from the date of her marriage, he left her with lurch for the reason that there were misunderstanding between them. While she was living separately with her mother, one Rajmansingh, son of Duraisamy, used to visit her house and had physical relationship on the pretext of promise to marry her. Thereafter, after having physical relationship with the petitioner, the said Rajmansingh, left her with lurch. Hence, she lodged a complaint and the same has been registered in Crime No.02 of 2020 on



the file of the second respondent. After registering the F.I.R, for the past two years, there is no action as against the accused person and did not even conducted any D.N.A test.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

4.On a perusal of the status report revealed that the second respondent is taking steps to conduct D.N.A test. Insofar as the accused is concerned, he obtained anticipatory bail in Crl.O.P(MD) No.2057 of 2020, by an order dated 06.02.2020. Now, the petitioner gave birth to a male child, 11 months old and investigation is still pending. Therefore, the second respondent is not taking any steps to investigate the matter further, though the accused have committed very serious offence and cheated the petitioner and left her with lurch.

5.In view of the above, the investigation in Crime No.02 of 2020 is hereby withdrawn from the file of the second respondent and transferred to the file of the Additional Superintendent of Police, Karur for further investigation. On receipt of the entire case bundle, the Additional Superintendent of Police, Karur is directed to complete the investigation and file a final report within a period of eight weeks from the date of receipt of the entire case bundle.

6.With the above direction, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar ()

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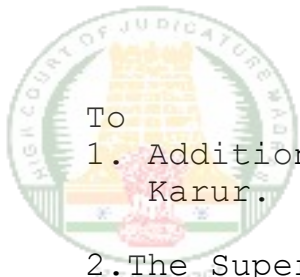
/ /2022

Sub Assistant Registrar(CS)

ps

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. Additional Superintendent of Police,
Karur.

2.The Superintendent of Police,
Karur.

3.The Inspector of Police,
All Women Police Station,
Kulithalai,
Karur District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.M.SIVAKUMAR, Advocate (SR-9100[F] dated 28/02/2022)

Order made in
CrI.O.P(MD)No.2975 of 2022
28.02.202

VK(12/03/2022)3P 6C