



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.3575 of 2022

WEB COPY

Seetha

... Petitioner

Vs.

1. The Commissioner of Police,
Tirunelveli City, Tirunelveli.

2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.

3. The Inspector of Police,
CBCID Police Station,
Tirunelveli,
Tirunelveli District.

4. Chelladurai.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to issue an order of direction to withdraw the case in respect of the FIR in Crime No.407/2021 on the file of the 2nd respondent and to transfer the same to the 3rd respondent for investigation and further, to direct the third respondent to file charge sheet in respect of the above First Information Report within the time limit, that may be stipulated by this Court.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.B.Thanga Aravindh

Government Advocate (Criminal Side)

O R D E R

This Criminal Original Petition has been filed to transfer the investigation pending in Crime No.407 of 2021 on the file of the second respondent to the third respondent and direct the third respondent to file charge sheet within the time stipulated by this Court.

2.The case of the petitioner is that there was a property dispute between the petitioner and the accused persons. Due to which, the accused persons damaged the household articles of the petitioner and took away her mother-in-law from her house. Hence, she lodged a complaint and the same was registered in Crime No.407 of 2021 by the second respondent. Thereafter, no action has been taken to enquire the accused persons.



3.The learned Additional Public Prosecutor submits the initially, the case was registered under Section 174 of Cr.P.C and thereafter, it was altered to Section 304(A) of IPC and the investigation is almost over. At this juncture, if the investigation is transferred, the same would spoil the investigation so far done by the second respondent.

4.In view of the above, this Court is not inclined to transfer the investigation. However, the second respondent is directed to complete the investigation and file a final report within a period of 12 weeks from the date of receipt of a copy of this order. The first respondent is directed to monitor the investigation done by the second respondent.

5.Accordingly, the Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Ssb

To:

1. The Commissioner of Police,
Tirunelveli City, Tirunelveli.
2. The Inspector of Police,
Perumalpuram Police Station,
Tirunelveli City.
3. The Inspector of Police,
CBCID Police Station,
Tirunelveli, Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.M.S.JEYAKARTHIK, Advocate (SR-13345[F] dated 22/03/2022)

+1 CC to M/s.A.ROBINSON, Advocate (SR-13614[F] dated 22/03/2022)

Crl.O.P. (MD)No.3575 of 2022

21.03.2022