



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.(MD) No.4806 of 2022

V.S.Indira

...Petitioner

Vs.

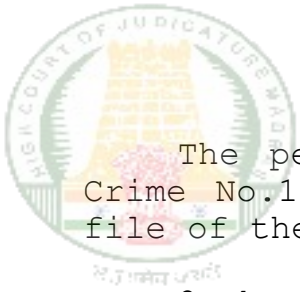
1. The Director General of Police(Law & Order)
Tamilnadu Police Department,
Police Headquarters,
Kamarajar Salai, Mylapore,
Chennai - 600 004
2. The Inspector of Police,
Central Zone, Trichy,
Edamalaipatti Pudur,
Trichy - 620 003
3. The Deputy Inspector of General of Police,
Tanjore Zone,
Tanjore - 613 001
4. The Superintendent of Police,
District Superintendent of Police Office,
Tanjore - 613 010
5. The Inspector of Police,
All Women Police Station, Pattukottai,
Tanjore District.
(Crime No. 16/2021)

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to transfer the investigation in Crime No. 16/2021 on the file of 5th respondent to the Deputy Superintendent of Police, CBCID of Tanjore or any superior police officer with integrity and honesty of any other special unit in the Central Zone for investigation in a fair and proper manner.

For Petitioner: Mr.Ajmal Khan, Senior Counsel for
Mr.C.Senthil Murugan.

For R1 to R5 : Mr.R.M.Anbunithi
Additional Public Prosecutor



ORDER

The petition has been filed for transfer of investigation in Crime No.16 of 2021 from the file of the fifth respondent to the file of the CBCID of the same District.

2.The petitioner is arrayed as the sixth accused on the complaint lodged by the defacto complainant one Sudha, which has been registered in Crime No.16 of 2021 for the offences under Sections 498(A), 294(b), 341, 354, 354, 506(1) and 147 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and Section 4 of the Dowry Prohibition Act, 1961.

3.The learned Senior Counsel appearing for the petitioner stated that the defacto complainant one Sudha is none other the women constable with WPC No.2713 and she is working in the very same fifth respondent police station. Therefore, there will not be any fair investigation, since the defacto complainant is attached with fifth respondent police station, who registered the case as against the petitioner and other accused. Therefore, the petitioner submitted a detailed representation on 22.10.2021 before the fourth respondent for transfer of investigation and it is pending for enquiry.

4.Since the petitioner failed to implead the defacto complainant as one of the party to this petition, this Court deems fit to issue a direction to the fourth respondent to conduct enquiry on the representation, dated 22.10.2021, after issuance of notice to the petitioner as well as defacto complainant one Sudha and pass orders on the transfer of investigation within a period of two weeks from the date of receipt of a copy of the order. After disposal of the representation submitted by the petitioner, the fourth respondent is directed to monitor the investigation to be done by the investigation agency in Crime No.16 of 2021.

5.With the above direction, the criminal original petition is disposed of.

Sd/-

Assistant Registrar(AD I)

/TRUE COPY/

/ /2022

Sub Assistant Registrar(CS)

lr

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



To

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Tanjore - 613 010
 5. The Inspector of Police,
All Women Police Station, Pattukottai,
Tanjore District.
 6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.P.PANDI RANI, Advocate (SR-12387[F] dated 16/03/2022)

Crl.O.P.(MD) No.4806 of 2022
14.03.2022

MK/28.03.2022/3P/8C