



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

Crl.O.P.(MD) No.10078 of 2022

Pandiselvi

...Petitioner/Defacto Complainant

Vs.

- 1.The Superintendent of Police
O/o. The Superintendent of Police,
Madurai District.
2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Melur Sub-Division,
Madurai District.
3. The Inspector of Police
O/o. The Inspector of Police,
Keelavalavu Police Station,
Madurai District.
(In Crime No.114 of 2022) ...Respondents

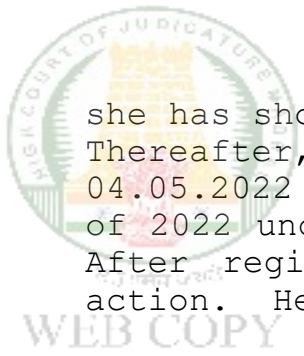
PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the first respondent to withdraw the case in Crime No.114 of 2022 from the third respondent and transfer the case in Crime No.114 of 2022 on the file of the third respondent to the second respondent.

For Petitioner : Mr.S.Nihar Ali
For Respondents : Mr.R.Suresh Kumar
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition has been filed to direct the first respondent to withdraw the case in Crime No.114 of 2022 from the third respondent and transfer the case in Crime No.114 of 2022 on the file of the third respondent to the second respondent.

2. The learned counsel for the petitioner submitted that the petitioner's husband is working at abroad. She is having one son who is ten years old studying VI Standard and one daughter who is 8 years old studying IV Standard. The petitioner residing in her matrimonial house along with her two children and her mother-in-law. The facts of the case are that on 03.05.2022 at about 07.00 p.m., while the petitioner was taking bath at her house, one Gopi @ Gopinath, residing next to the petitioner's house illegally trespassed into the petitioner's house and illegally took the video of bathing of the petitioner in his mobile phone. Having seen that,



she has shouted the accused and the accused ran away from her house. Thereafter, she gave a complaint to the third respondent on 04.05.2022 and a case was registered on 05.05.2022 in Crime No.114 of 2022 under Section 354, 509 & 506(i) of IPC against the accused. After registering the case, the respondent Police has not taken action. Hence the petitioner filed this Criminal Original Petition.

3. The learned Government Advocate submitted that the case has been registered and investigation is going on.

4. On perusing the records, it is seen that after registering the case, the respondent Police has not arrested the accused so far. Therefore, the petitioner gave a complaint to the Superintendent of Police, the first respondent herein on 27.05.2022 for withdrawing the complaint from the third respondent and transfer it to some other Police Station. But no action was taken till date.

4. I have considered the matter in the light of the submissions made by both the parties. Admittedly, the case has been registered against the accused for having committed offence of taking video bathing of the petitioner in his mobile phone. After registering the case, the Police has not arrested the accused so far.

5. Therefore, I am hereby directs the Inspector of Police, the third respondent herein to complete the investigation immediately and arrest the accused and take further action and also directs the Superintendent of Police, the first respondent herein to consider the representation given by the petitioner on 27.05.2022.

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

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

To

1.The Superintendent of Police
O/o. The Superintendent of Police,
Madurai District.



2. The Deputy Superintendent of Police,
O/o. The Deputy Superintendent of Police,
Melur Sub-Division,
Madurai District.

3. The Inspector of Police
O/o. The Inspector of Police,
Keelavalavu Police Station,
Madurai District.

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

Crl.O.P. (MD) No.10078 of 2022
09.06.2022

SG(CO)
KB(16.06.2022) 3P 5C