



Crl.O.P.(MD) No.13457 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.13457 of 2022

Krishnaveni

... Petitioner

Vs

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

2. The Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to issue a direction to the second respondent to transfer the investigation in Crime No.50 of 2022, on the file of the second respondent police, dated 03.04.2022 to some other competent Investigating Agency of Virudhunagar District and file final report in accordance with law.

For Petitioner : Mr.V.Sasi Kumar
Advocate.

For Respondents : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)



Crl.O.P.(MD) No.13457 of 2022

ORDER

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This Criminal Original Petition has been filed for a direction to the second respondent to transfer the investigation in Crime No.50 of 2022, on the file of the second respondent police, dated 03.04.2022 to some other competent Investigating Agency in Virudhunagar District and to file a final report in accordance with law.

2. When the matter is taken up for hearing, the learned Government Advocate (Criminal Side) appearing for the respondents filed a status report and submitted that the petitioner/ wife gave a complaint against the husband and in-laws of the petitioner. A case has been registered on 03.04.2022, in Crime No.50 of 2022, for the offences under Sections 294(b), 109, 323 and 354 I.P.C and Section 4 of TNPWH Act and 66 (E) of Information Technology Act,2000, against three persons. He further submitted that after registering the FIR, the Sub-Inspector of Police, Tr.Ravichandran took up the investigation and statements of witnesses were recorded under Section 161 of Cr.P.C. Thereafter, the Investigating Officer arrested the first accused and recovered mobile phone from him. While so, the other accused



Crl.O.P.(MD) No.13457 of 2022

persons moved an anticipatory bail application before the Vacation Sessions Judge, Virudhunagar in Cr.M.P.No.555 of 2022 and the same was allowed on 26.05.2022. He further submitted that, since from the commencement of investigation, the Investigation Officer has speed up the case and he has taken all the effective steps to conclude the investigation, there is no bias in his investigation.

3. The main ground raised by the petitioner is that the penal Section 406 I.P.C was not included in the FIR.

4. In fact the investigation is in very preliminary stage and the then Investigating Officer viz., Tr.Ravichandran was retired from service on attaining the age of superannuation. Now, the present Investigating Officer investigating the case without any bias.

5. In view of the above, the second respondent police is hereby directed to complete the investigation and to file a final report within a period of five weeks from the date of receipt of a copy of this order.



Crl.O.P.(MD) No.13457 of 2022

WEB COPY

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

16.08.2022

Internet: Yes./No

Index: Yes/no

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To

1. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.
2. The Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD) No.13457 of 2022

V.SIVAGNANAM, J.

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ORDER IN
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