



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM:

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

CRL OP(MD). No. 15785 of 2020

WEB COPY

Kalaiselvi

....Petitioner / Victim

Vs

1. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
2. The Deputy Superintendent of Police,
Kamuthi Sub Division,
Kamuthi,
Ramanathapuram District.
3. The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.
(Crime No.421/2020)

....Respondents

PRAYER :- These Criminal Original Petitions filed under Section 482 Cr.P.C. to direct the 1st respondent to transfer the investigation in Crime No.421 of 2020 dated 23.09.2020 on the file of the 3rd Respondent police to some other impartial investigating agency and pass such other or further orders as this court.

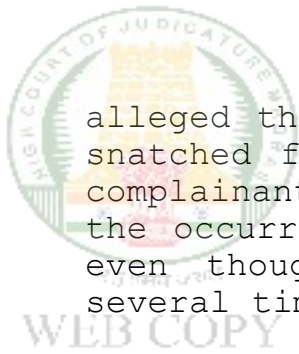
For Petitioners : Mr.T.Veerakumar

For Respondent : Mr. K.Sanjai Gandhi
Government Advocate (Criminal Side)

ORDER

This petition has been filed to direct the 1st respondent to transfer the investigation in Crime No.421 of 2020 dated 23.09.2020 on the file of the 3rd Respondent police to some other impartial investigating agency.

2.The main grievance of the petitioner is that due to property dispute, the accused persons along with their henchmen criminally trespassed into the petitioner's family property and attacked the petitioner and her husband by using iron rod, wooden log, stones and lethal weapons and caused injuries to them and snatched the petitioner's 10.75 sovereign of gold thali chain and 5 sovereign of gold chain. A specific complaint has been made with reference to the



alleged theft of gold jewels worth about 15.75 sovereigns that was snatched from the neck of the petitioner, who is the wife of the complainant and inspite of the fact that she sustained injury during the occurrence, no investigation has been taken up on this aspect, even though she appeared before the Investigation Officer on several times.

3. The learned Government Advocate (Crl.Side) submitted that a counter case has been registered against the petitioner in Crime No.421 of 2020 for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC R/w 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and also submitted that the petitioner's husband does not give any statement with regard to the snatching of chain. He would further submit that a major part of the investigation has been completed and a final report is yet to be filed before the concerned Court.

4. A major part of the investigation has been done by the third respondent herein, at this juncture, the transfer of investigation may not be possible. However, considering the facts and the circumstances of this case, this court directs the third respondent to consider the allegation made by the petitioner against the accused person and file a final report within a period of 12 weeks from the date of receipt of copy of this order.

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

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TTA

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. The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.



2. The Deputy Superintendent of Police,
Kamuthi Sub Division,
Kamuthi,
Ramanathapuram District.

3. The Inspector of Police,
Abiramam Police Station,
Ramanathapuram District.

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

+1 CC to M/s.T.VEERAKUMAR, Advocate (SR-15949[F] dated 01/04/2022)

CRL OP(MD). No.15785 of 2020

Date : 31/03/2022

RD(11.05.2022) 3P 6C