



Crl.O.P.(MD) No.18111 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.10.2022

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.18111 of 2022

R.Thavani

...Petitioner

VS

**1.The Commissioner of Police,
Tirunelveli District.**

**2.The Inspector of Police,
Crime Branch-Crime Investigation Department,
(CBCID),
Tirunelveli District.**

**3.The Sub Inspector of Police,
The Tirunelveli Junction Police Station,
Tirunelveli District.
Crime No.97 of 2020**

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the first Respondent to transfer the entire file relating to Crime No.97 of 2020 pending on the file of the third Respondent to the file of the second Respondent for conducting further investigation in a fair, proper and unbiased manner in accordance with law.



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For Petitioner : Mr.J.Priscilla Pandian
For Respondents : Mr.R.Sivakumar
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the first Respondent to transfer the case in Crime No.97 of 2020 from the file of the third Respondent to the file of the second Respondent.

2.The learned Counsel for the Petitioner would submit that the Petitioner's husband was alleged to have been threatened by the money lenders. He is alleged to have died under mysterious circumstances within the limits of Tiruchendur temple, Naalikinaru. The Petitioner had preferred a complaint regarding the threat made by certain individuals, whose names were mentioned by the Petitioner in the complaint. Even after the death of the Petitioner's husband, the said individuals are alleged to have called her on the mobile phone and threatened her that for the amount received already by her husband, the Petitioner is duty bound to repay.



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3.It is the further contention of the learned Counsel for the Petitioner that even though the Petitioner had mentioned the names of the persons, who are alleged to have caused harassment to her, the FIR is silent on the suspects or accused. Further, even from the year 2021 onwards, till date no investigation had been conducted. Therefore, she seeks direction to the first Respondent to transfer the investigation from the file of the third Respondent to the file of the second Respondent.

4.The learned Government Advocate (Crl.side) for the Respondents by way of reply would submit that the Petitioner after giving complaint had not cooperated with the pending investigation.

5.The learned Counsel for the Petitioner concedes that the Petitioner had vacated the premises to seek employment after the death of her husband.

6.In the light of the submission made by the learned Government Advocate (Crl.side), the Petitioner is directed to cooperate with the pending



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investigation by furnishing the details of her place of residence to the Investigation Officer. The Investigation Officer is directed to proceed with the investigation and lay the final report within the specified time. The first Respondent/the Commissioner of Police, Tirunelveli City is directed to nominate a Senior Official at the rank of Deputy Commissioner to monitor the investigation by the third Respondent.

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

Internet: Yes/No
Index: Yes/No
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To

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



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SATHI KUMAR SUKUMARA KURUP, J.

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