



WEB COPY

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P No.15899 of 2023

Selvi

Petitioner

VS.

1.The Commissioner of Police,
Greater Chennai,
Veppery, Chennai.

2.The Deputy Commissioner,
Adyar Police District,
Adyar, Chennai.

3.The Inspector of Police,
Tharamani Police Station,
Chennai.
(Crime No.134 of 2023)

Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent to transfer the investigation pending in Crime No.134 of 2023 on the file of the 3rd respondent to any other investigating agency.

For Petitioners : Mr.T.Muruganantham

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor



ORDER

This petition has been filed for a direction to transfer the investigation that is pending in Crime No.134 of 2023 on the file of the 3rd respondent to any other investigating agency.

2.Heard learned counsel for petitioner and learned Additional Public Prosecutor appearing on behalf of respondents.

3.The main grievance of the petitioner is that one Sathish who is the Councilor of Ward No.182 of Chennai Corporation, with the help of his men trespassed into the property of the petitioner and used the JCB machine to destroy the front steps of the house belonging to the petitioner and as a result, the water tank also was damaged and there is continuous water leakage. According to the petitioner, she was threatened by this group and they demanded a sum of Rs.5,000/- from the petitioner. The petitioner immediately called the helpline on 16.06.2023 at about 7.30 p.m. Thereafter, the petitioner gave a complaint before the 3rd respondent and an FIR came to be registered in Crime No.134 of 2023 for offence under Sections 294(b) and 427 of IPC.

4.The further case of the petitioner is that there has been absolutely no progress in the investigation and the threat continues and intentionally, the 3rd



respondent has added only bailable offences when the very allegations made in the complaint, warrants adding other IPC offences and also Section 4 of the Tamil Nadu Prohibition of Harassment of Woman Act, 1998. In view of the same, the petitioner has approached this Court seeking for transfer of investigation.

5. Taking into consideration the facts and circumstances of the case and also of the fact that an elected Councilor is alleged to be involved in this case, this Court deems it fit to direct the Assistant Commissioner of Tharamani to investigate the case in Crime No.134 of 2023. The 3rd respondent shall immediately handover the case diary to the Assistant Commissioner of Police, Tharamani and the concerned officer shall proceed further with the investigation and take action in accordance with law. The investigation shall be completed within a period of three months and a final report shall be filed before the concerned jurisdictional Court.

6. This criminal original petition is disposed of with the above directions.

17.07.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
ssr



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N. ANAND VENKATESH,. J.

SSR

To

- 1.The Commissioner of Police,
Greater Chennai,
Veppery, Chennai.
- 2.The Deputy Commissioner,
Adyar Police District,
Adyar, Chennai.
- 3.The Inspector of Police,
Tharamani Police Station,
Chennai.
- 4.The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P No.15899 of 2023