



CrI.O.P.(MD) No.435 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2023

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD) No.435 of 2023

Yasmin Banu,

: Petitioner

Vs

1. The Commissioner of Police,
Commissioner of Police,
Pudukottai Main Road,
Trichy District

2. The Assistant Commissioner Of Police,
Ac Office Fort Range,
Upstairs of Gandhi Market Police Station,
Gandhi Market, Trichy District.

3. The Inspector of Police,
All Women Police Station,
Fort All Women Police Station,
Fort, Trichy.

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to transfer the investigation of petitioner's Complaint dated 14.06.2022 on the file of the third respondent herein to the second respondent

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herein or any other investigation officer not less than cadre of Assistant Commissioner of Police, Trichy District, for free and fair investigation, within a stipulated period as may be fixed by this Court.

For Petitioner : Mr.R.Sakthivel
For R1 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to transfer the investigation of petitioner's Complaint dated 14.06.2022, from the file of the third respondent herein to the file of the second respondent herein or to any other investigation officer not less than cadre of Assistant Commissioner of Police, Trichy District, for free and fair investigation.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor would submit that the third respondent has not received any complaint from the petitioner.

3.It is seen from the records that the petitioner has sent the complaint to the respondents 1 and 2 and the learned Counsel appearing for the petitioner



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has also produced a copy of the postal acknowledgment to show that the complaints were received by the respondents 1 and 2.

4.Recording the said submission, the petitioner is directed to give a fresh complaint before the third respondent and on receipt of the same, the third respondent is directed to conduct enquiry and pass orders by following the dictum laid in the case of ***Lalita Kumari Vs. Government of Uttar Pradesh and Others*** reported in ***(2014) 2 SCC 1***.

5.With the above direction, this criminal original petition is disposed of.

09.01.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
lr

To

1. The Commissioner of Police,
Commissioner of Police,
Pudukottai Main Road,
Trichy District

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2. The Assistant Commissioner Of Police,
Ac Office Fort Range,
Upstairs of Gandhi Market Police Station,
Gandhi Market, Trichy District.

3. The Inspector of Police,
All Women Police Station,
Fort All Women Police Station,
Fort, Trichy.

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



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K.MURALI SHANKAR, J.

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