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Crl.O.P(MD).No.4010 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.03.2023

CORAM

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P(MD)No.4010 of 2023

Vidya Devi

... Petitioner

Vs.

1.The Commissioner of Police,
Trichy City,
Subramaniyapuram,
Trichy.

2.The Inspector of Police,
Government Hospital Police Station,
Trichy District.

3.The Deputy Superintendent of Police,
CBCID, Trichy,
Tiruchy District.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to issue a direction directing the withdrawal of the case in Crime No.715 of 2022 pending on the file of the second respondent and entrust the same to the third respondent for investigation of the case by a competent officer and file a final report before the Judicial Magistrate within the time stipulated by this Court.

For Petitioner	: Mr.N.Anandakumar
For Respondents	: Mr.B.Nambiselvan Additional Public Prosecutor



ORDER

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This petition has been filed seeking direction to withdrawal of the case in Crime No.715 of 2022 pending on the file of the second respondent and entrust the same to the third respondent for investigation of the case by a competent officer and file a final report before the Judicial Magistrate within the time stipulated by this Court.

2.The grievances of the petitioner/defacto complainant is that she was attacked by the accused persons with sticks, hands and legs and also caused miscarriage, but the second respondent did not added Section 4 of the Woman Harassment Act. After the miscarriage, the defacto complainant informed the second respondent police, even then he did not alter the sections by including 312 of IPC.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that so far four witnesses have been examined and within two months, the entire investigation will be completed by the Investigation Officer and the final report will be filed before the concerned Court.

4.Since most of the investigation is over, at this stage, the transfer of investigation may not arise.



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5.Considering, the facts and circumstances of this case, this Court directs the second respondent police to complete the investigation within a period two months from the date of receipt of a copy of this order and thereafter, file a final report before the concerned Court. If the petitioner is not satisfied the contention raised in the final report, she can to workout the remedy through proper proceedings before the concerned Court. The effect to have been caused by the alleged assault to be taken into account by the investigating officer at the time of the investigation.

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

14.03.2023

Index:Yes/No
Internet:Yes/No
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To:

- 1.The Commissioner of Police,
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Trichy.
- 2.The Inspector of Police,
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- 3.The Deputy Superintendent of Police,
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