



Crl.O.P(MD)No.7340 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2023

CORAM:

THE HON'BLE MR JUSTICE K.K.RAMAKRISHNAN

Crl.O.P(MD)No.7340 of 2021

Amala

.. Petitioner

Vs.

1. The Superintendent of Police,
Kanyakumari District at Nagercoil.

2. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
(Cr.No.29 of 2021)

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 1st respondent to transfer the investigation in Crime No.29 of 2021 from the file of the 2nd respondent to some other unbiased police officer or agency to conduct fair and proper investigation.

For Petitioner : Mr.D.Senthilkumar

For Respondents : Mr.M.Muthumanikkam,
Government Advocate (Criminal side)



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ORDER

The petitioner/de-facto complainant has filed this petition to transfer the investigation in Crime No.29 of 2021 from the file of the 2nd respondent to some other unbiased police officer for conducting fair and proper investigation.

2. The case of the prosecution is that due to the previous enmity, on 18.01.2021 at 04.00 p.m, all the accused in Crime No.29 of 2021 trespassed into the petitioner's house with deadly weapons and criminally intimidated the entire family of the petitioner and caused damage to the household articles worth about Rs.5000/-. In continuation of the illegal trespass, they also said to have assaulted the de-facto complainant and her family members and they also sustained injuries and hence she made a complaint before the 2nd respondent police and the same was registered in Crime No.29 of 2021 for the offence punishable under Sections 448, 294(b), 323, 324, 427 & 506(ii) IPC and Section 4 of Tamil Nadu Prohibition & Harassment of Women Act, 2002. Being dissatisfied with the investigation conducted by the second respondent police, she filed this



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transfer petition.

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3. When the matter is taken up for hearing today, the learned Government Advocate (Criminal side) submitted that after completion of the investigation, final report has been filed for the offence under Sections 448, 294(b), 323, 324, 427 & 506(ii) IPC and Section 4 of Tamil Nadu Prohibition & Harassment of Women Act, 2002, before the learned Judicial Magistrate No.II, Padmanabapuram and the same was taken on file in C.C.No.220 of 2021.

4. Recording the submission made by the learned Government Advocate (Criminal side), this Criminal Original Petition stands closed with liberty to the petitioner to work out her remedy in the manner known to law.

26.04.2023

NCC : Yes/No
Internet: Yes/No
Index : Yes/No
PJL

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To

- 1.The Superintendent of Police,
Kanyakumari District
At Nagercoil.
2. The Inspector of Police,
Thiruvattar Police Station,
Kanyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.K.RAMAKRISHNAN,J.

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