



CrI.O.P.(MD)No.6820 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 13.04.2023

CORAM

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

CrI.O.P.(MD)No.6820 of 2023

Mathan Prabu

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
All Woman Police Station, Madurai.

3.Sathya

... Respondents

Prayer : Criminal Original Petition filed under Section 482 Cr.P.C., to transfer the investigation of Crime No.7 of 2023, dated 16.02.2023 from the second respondent to the first respondent or any other investigating agency.

For Petitioner : Mr.G.Hariharan

For R1 & R2 : Mr.B.Nambiselvan,
Additional Public Prosecutor

ORDER

This criminal original petition has been filed to transfer the investigation of Crime No.7 of 2023, dated 16.02.2023 from the



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second respondent to the first respondent or any other investigating agency.

2.The learned counsel appearing for the petitioner would submit that the the petitioner is working in abroad. The petitioner's brother and the third respondent are husband and wife. Due to matrimonial dispute, they got separated and filed divorce petition. The third respondent also preferred a complaint as against the petitioner and his family members alleging that they were harassing her by demanding additional dowry. The said complaint was registered in Cr.No.7 of 2023 for the offence under Sections 498(A), 406, 294(b), 506(i) IPC. He would further submit that the alleged occurrence said to have take place on 04.12.2022, but the petitioner arrived Madurai from Singapore only on 17.12.2022. Though the petitioner was no way connected with the alleged occurrence, the second respondent did not investigate the matter properly. Hence, on 29.03.2023, he approached the first respondent for transferring the investigation. However, there is no action. Hence, the petitioner filed the present petition.

3.It appears that there are matrimonial dispute between the third respondent and the petitioner's brother. Reading of FIR



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shows that bald allegations made against him that he is also supported A1. It also appears that he is not involved in the matrimonial dispute between husband and wife and he appeared before the first respondent on 29.03.2023 and made statement. However, there is no question of transfer the investigation, at FIR stage. If at all the petitioner is aggrieved over the outcome of the investigation, he is at liberty to workout his remedy in the manner known to law. Accordingly, this criminal original petition is dismissed.

13.04.2023

Index :yes/No
Internet:yes/No
gns

To

- 1.The Commissioner of Police,
Madurai City, Madurai.
- 2.The Inspector of Police,
All Woman Police Station, Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN, J

gns

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