



CrI.O.P.(MD) No.11484 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.11484 of 2023

T.Kavipriya

... Petitioner

Vs.

1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.

2.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.

3.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
Crime No.183 of 2023

4.Raja

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to withdraw the investigation in Crime No.183 of 2023 dated 22.05.2023 U/S. 417, 354A(1)(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 on the file of the respondent No.3 and entrust the same to the



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respondent No.2 for fair investigation and file a report before the competent Court.

For Petitioner : Mr.K.Dinesh
For R1 to R3 : Mr.SS.Madhavan
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure seeking to withdraw the investigation in Crime No.183 of 2023 dated 22.05.2023 registered for the offence punishable under Sections 417, 354A(1)(i) IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 and transfer the same to the file of the respondent No.3 police.

2.It is alleged by the petitioner that the unofficial respondent No.4 who is working in Armed Police Force, and son of a Sub-Inspector of Police, Ramanathapuram, has promised the petitioner to marry and had sexual intercourse. Subsequently, he married another person with the help of his father. On a complaint given by the petitioner, a case has been registered against the fourth respondent for the offences punishable under Sections 417, 354A(1)(i) of IPC and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002.



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The petitioner has filed this petition seeking transfer of investigation from the third respondent to the fourth respondent on the ground that the third respondent under the influence of the fourth respondent and his father have not been properly conducting the investigation. The proceedings of this Court on previous occasions would go to show that this Court has come down heavily on the investigation that in a heinous crime like this, the police have not bothered to send a victim to the medical examination also.

3.The learned Government Advocate (Crl.side) submits that as directed by this Court on 17.07.2023, the victim was examined by a woman medical officer on 27.07.2023 and to that extend, a report is also filed. It is submitted further that the accused was arrested on 13.07.2023 and was released on the same day by the concerned Court.

4.Since the victim has already been examined by the woman medical officer and the accused is arrested, the respondent No.2 police are directed to complete the investigation in Crime No.183 of 2023 within a period of four



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WEB COPY weeks from the date of receipt of a copy of this order.

5.With the above direction, this Petition is disposed of.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

31.07.2023

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To

- 1.The Superintendent of Police,
Office of the Superintendent of Police,
Sivagangai District.
- 2.The Deputy Superintendent of Police,
Manamadurai,
Sivagangai District.
- 3.The Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

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