



CrI.O.P.(MD) No.12186 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.12186 of 2023

N.Latha

... Petitioner

Vs.

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

2.The Inspector of Police,
CBCID, Kanyakumari District,
at Nagercoil.

3.The Inspector of Police,
Kulasekaram Police Station, Kanyakumari District,
Crime No.58 of 2023.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to issue direction to transfer the investigation of Crime No.58 of 2023 from the file of the third respondent to the 2nd respondent and to complete the investigation and file the final report within the time stipulated by this Court.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

This petition is filed seeking transfer of investigation in Crime No.58 of 2023 from the file of the third respondent police to the file of second respondent police.

2.It is submitted by the learned counsel for the petitioner that the police investigation is not proceeding in the proper lines, as the investigation, which should have been conducted by Woman Police Station, since the victim is a lady, is being handled by a male police officer.

3.The learned Government Advocate (Crl.side) submits that in the First Information Report, the petitioner/defacto complainant has not shown any person and has mentioned as unidentified person. Subsequently, based on her statement, the police have arrested four persons and confession statements were also recorded and they are proceeding to investigate further on this aspect.

4.Considering the submissions made by the learned Government Advocate (Crl.side), if the petitioner has got any grievance, the petitioner/defacto



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complainant has to wait till the investigation is completed and if the petitioner still is of the opinion that the investigation is not done on proper lines, he can move an application before the concerned Magistrate under Section 173(8) Cr.P.C., seeking further investigation.

5.Insofar as the grievance of the petitioner that it should have been handled by a woman police officer is concerned, it is seen that the Investigating Officer is not a woman police officer. Therefore, the learned Government Advocate (Crl.side) is instructed to see that the rest of the investigation is done by the woman police Officer as required to.

6.With the above direction, this Petition is disposed of. It is needless to state that since the offence has committed on 30.03.2023 and involves the woman, who is the petitioner, the respondent police are directed to expedite the investigation and file the final report as expeditiously as possible.

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

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Kanyakumari District at
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- 2.The Inspector of Police,
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Kanyakumari District,
at Nagercoil.
- 3.The Inspector of Police,
Kulasekaram Police Station,
Kanyakumari 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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