



Crl.O.P.(MD).No.20203 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.11.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.20203 of 2023

J.Rajaiya

... Petitioner

Vs.

1.The superintendent of Police,
Office of the Superintendent,
Virudhunagar District.

2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Rajapalayam Sub-Division,
Virudhunagar District.

3.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam,
Virudhunagar District.
(Crime No.315/2023)

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct first respondent to transfer the investigation in Crime No.315 of 2023 dated 14.10.2023 on the file of the third respondent police to some other impartial investigating agency.



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For Petitioner : Mr.D.Rajaboopathy
For Respondents : Mr.M.Sakthi Kumar
Government Advocate
(Crl.side)

ORDER

This criminal original petition is filed seeking transfer of investigation in Crime No.315 of 2023 dated 14.10.2023 on the file of the third respondent police to some other impartial investigating agency.

2.The petitioner is the defacto complainant in this case. On the basis of the complaint given by her, the present case in Crime No.315 of 2023 has been registered by the third respondent under Sections 294(b), 323, 506(i) of IPC. The grievance of the petitioner is that the Sub Inspector of Police, after absconding of the accused persons only registered the case. Hence, he seeking transfer of investigation.

3.The learned Government Advocate (Crl. Side) would submit that investigation is undertaken in Crime No.315 of 2023. During the course of enquiry, finding that it is a false complaint, it was closed. RCS notice was also served upon the petitioner. But, the learned counsel for the petitioner would submit that his daughter is under the illegal custody of



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the accused persons. It is matter for consideration by the jurisdictional police station. So far this case is concerned, it appears that the complaint itself has been closed by the respondent police. If the petitioner aggrieved, he can workout his remedy through appropriate proceedings.

4.With the above said liberty, this criminal original petition stands dismissed.

09.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

- 1.The superintendent of Police,
Office of the Superintendent,
Virudhunagar District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Rajapalayam Sub-Division,
Virudhunagar District.
- 3.The Inspector of Police,
Rajapalayam North Police Station,
Rajapalayam,
Virudhunagar District.
(Crime No.315/2023)



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4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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G.ILANGO VAN,J.

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