



CrI.O.P.No.5916 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.03.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.5916 of 2023

Santhakumari

... Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
E-9 Thazambur Police Station,
Kancheepuram District.
Crime No.644 of 2018

2.Devaraj

3.Dilli

4.Anandhi

... Respondents

Prayer:

Petition filed under Section 482 of Cr.P.C., seeking to direct the respondent Police to conduct further investigation in S.C.No.204 of 2022 pending on the file of learned Mahila Court, Chengalpattu, Kancheepuram.

For Petitioner : Mr.S.Suresh

For Respondents : Mr.A.Gopinath for R1
Government Advocate (CrI. Side)
Mr.C.Balasubramaniam for R2 to R4



CrI.O.P.No.5916 of 2023

WEB COPY

ORDER

This petition has been filed seeking for further investigation in the case that is pending in S.C.No.204 of 2022 on the file of the Mahila Court, Chengalpattu, which pertains to Crime No.644 of 2018 which was investigated by the first respondent.

2.The relief sought for by the petitioner can be considered only after taking into account certain facts which are explained hereunder:

(i)The petitioner was in occupation of the subject property in S.No.253/11 measuring an extent of 0.13 cents at Navalur Village. It is alleged that on 10.12.2018, the accused persons trespassed into the property and they started demolishing the compound wall with the help of JCB and they also demolished the building and caused huge damages. That apart, they also took away movable property including cash. The petitioner lodged a complaint on the very same day at about 10.45 p.m. before the first respondent. An F.I.R. came to be registered in Crime No.641 of 2018 for offence under Sections 147, 448, 380, 506(i) of IPC and under Section 3(i) of TNPPDL Act. This F.I.R. was investigated and a referred charge sheet was filed before the learned Judicial Magistrate No.I, Chengalpattu as mistake of fact.



CrI.O.P.No.5916 of 2023

A protest petition was filed by the petitioner in CrI.M.P.No.3363 of 2020. In the protest petition, the learned Judicial Magistrate rendered the following findings:

"5) Heard the petitioner's argument. The petitioner has filed six documents along with the petition. Records perused. On perusal of document No.1 which is the summon u/s.160 of Cr.P.C. sent by the respondent police to the petitioner to appear before the Thalambur Police Station on 22.12.2018 for investigation along with necessary documents described therein. On perusal of Document No.1 it is the xerox copy which has been received on 18.12.2018. The fact being so, referred charge sheet has been filed by the respondent police on 11.12.2018. The respondent police itself issued the above summon while being so it is not possible for the respondent police to referred the case on 11.12.2018. Further on perusal of document No.2 which is the order of Hon'ble High Court in an anticipatory bail application of the accused persons. The order was passed on 14.12.2018. In the petition the learned Additional Public Prosecutor submitted that during investigation it has been found that cost



WEB COPY



Crl.O.P.No.5916 of 2023

of damage is only Rs.25,000/-, based on the argument Hon'ble High Court also directed the accused persons who are the petitioner's in the bail application to jointly deposit a sum of Rs.20,000/- to the credit of this Cr.No.641/2018 within 4 weeks. Accordingly the accused person also deposited bail order amount in this court vide separate memo on 20.12.2018: Receipt No.0206309. So it is clear that damages have been incurred to the petitioner pertaining in the incident to Cr.No.641/2018. Further perusal of Document No.3 which is the Crl.O.P. No. filed under section 482 of Cr.P.C. by one of the accused Naveen Kumar to direct the respondent police to foresee the electronics evidence and to relieve him from false allegation made in FIR No.641/2018. In that petition also prosecution stated that on 10.12.2018 the said Naveen Kumar along with 11 other persons trespassed in to the petitioner's property and caused damages. In the result Hon'ble High Court passed order in Crl.O.P.No.4919/2019 directed the Inspector of Thalambur to enquire into the matter and to file final report within a period of 3 months. So it is clear that during the order of Hon'ble High Court dated 15.03.2019 also investigation has not been



CrI.O.P.No.5916 of 2023

windup and it was pending on that date also. On perusal of document filed by the respondent police namely 161 statements of the petitioner's husband and also one of the Mahazar witness namely Manikandan it reveals that occurrence took place in the petitioners property and also the availability of CCTV footage installed in women hostel namely "Kodhai Illam. " The CCTV footage and photograph are filed herein along with the petition.

Through the document Nos. 1 to 3 it is crystal clear that occurrence took place pertains to the Crime No.641/2018, damages caused to the petitioner and pending investigation as on 15.03.2019. But the referred charge sheet bearing date as 11.12.2018. If really the investigation completed on 11.12.2018 the respondent police would have stated about the completion of investigation as early as on 14.12.2018 during the Anticipatory bail application itself. But the respondent police neither on 14.12.2018 nor on 15.03.2019 informed before the Hon'ble High Court about the referred charge sheet. Moreover the petitioner



WEB COPY



Crl.O.P.No.5916 of 2023

has not received any intimation regarding the referred charge sheet as on 02.09.2020, during the hearing of Crl.O.P.No.13492/2020, the document No.4 herein. Rather respondent police filed the referred charge sheet on 22.09.2020 before this Hon'ble Court as Mistake of Fact. Under such circumstances this court is of the considered view that there is a cloud cast upon the investigation and also regarding the date of referred charge sheet. Further the CCTV footage is very much available in and around the occurrence place without considering or looking into the footage it is not possible for the fair investigation and for RCS as MF. Further the statement of witness also reveals about the CCTV footage. At this juncture there is no ground for respondent police to file the referred charge sheet of Mistake of Fact. Hence this court came to the conclusion that there is no fair investigation by the investigating officer, who is then Sub Inspector of Thalambur Police Station.

Considering all those facts and circumstances as per Sec.26(3)(ii) of Criminal Rules of Practice this court is hereby direct the



Inspector of Police, Thalambur Police Station to conduct further investigation pertaining to Cr.No.641/2018 of Thalambur Police Station in a fair manner and to file a detailed report regarding further investigation as earlier as possible. In fine, this petition is allowed.”

(ii)The above order was passed on 04.08.2021 and it is reported by the learned counsel for the petitioner that no report has been filed pursuant to the further investigation that was ordered by the learned Magistrate.

(iii)On 13.12.2018, the accused persons all of a sudden trespassed into the room where the petitioner was sleeping and they poured acid on the abdomen part of the petitioner and fled away. The petitioner was rushed to the Government Royapettah Hospital. From there the petitioner was advised to go to KMC Hospital. At about 12.30 a.m. midnight the petitioner reached the KMC Hospital. A complaint was lodged with respect to this incident and the same was not acted upon immediately. After lot of efforts, an F.I.R. came to be registered in Crime No.644 of 2018 for offence under Section 324 of I.P.C.



CrI.O.P.No.5916 of 2023

WEB COPY

(iv)The petitioner was not satisfied with the manner in which the investigation was proceeding and therefore, the petitioner filed a petition before this Court in CrI.O.P.No.31756 of 2019 seeking for transfer of the investigation in Crime No.644 of 2018 to any other agency. This petition was disposed of by an order dated 07.07.2020 and the relevant portions are extracted hereunder:

"2. The learned counsel for the petitioner would submit that the petitioner was attacked by the accused persons and they poured acid on the petitioner's face. The respondent police has registered a case in Crime No.644 of 2018 only for the offence under Section 324 IPC instead of Section 307 IPC. He would further submit that though the case was registered against 3 accused persons, no one was arrested till date pertaining to the crime committed by them. Instead of that, the respondent police has registered a case against the petitioner for the offence under Section 506(ii) IPC for the false complaint foisted against him.

3. The learned Additional Public Prosecutor would submit that on the complaint lodged by the petitioner, a case was registered in Crime No.644 of 2018 for the offences



Crl.O.P.No.5916 of 2023

under Section 324 IPC and Section 4 of Women Harassment Act as against 3 accused persons. Investigation is yet to be completed.

4. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

5. Considering the above submission made by the learned Additional Public Prosecutor, the respondent is directed to complete the investigation in Crime No.644 of 2018 pending on his file and file a final report within a period of 3 weeks from the date of receipt of a copy of this order. If any material is available for the offence under Section 307 IPC while interrogation, the respondent is directed to alter the First Information Report accordingly and complete the investigation and file a final report before the concerned Magistrate Court."

(v)The above order did not evoke any response and therefore, the petitioner filed yet another petition in Crl.O.P.No.8287 of 2021 seeking for transfer of investigation in Crime No.644 of 2018. An order was passed in this petition on 13.07.2021 and the relevant portions are extracted hereunder:

"2.The gist of the prosecution case is



CrI.O.P.No.5916 of 2023

that on 14.12.2018 at about 7.00 p.m. the respondent police got information from the burns ward, Kilpauk Medical College Hospital, thereafter the respondent police reached the hospital and recorded the statement from the petitioner / defacto complainant. Thereafter F.I.R. in Crime No.644 of 2018 came to be registered. Initially the petitioner was rushed to the Royapettah Government Hospital, and after giving first aid treatment from the casualty ward, she was referred to Kilpauk Medical Hospital and admitted in a burns ward. In the complaint, the petitioner had specifically made complaint against three persons viz. Devaraj, Dilli and Anandhi about pouring acid over her.

3.It is stated that the petitioner has got inherited property which she shares along with her brother who is a drunkard. The named accused having taken advantage of her brother's alcoholic state, forcing the petitioner to settle the property in their favour and when the motive of the accused was not fulfilled, the named accused who are the persons belonging to the powerful political party, had restrained the police from taking any action. Thereafter, the petitioner had filed a protest petition in



Crl.O.P.No.5916 of 2023

Crl.O.P.No.31756 of 2019 and this Court vide order dated 07.07.2020 had directed the Investigating Officer to complete the investigation within a period of three weeks and further with a direction to find out if materials are available to include the offence u/s.307 IPC. It is almost a year passed till date the charge sheet in this case is yet to be filed.

4.Mr.E.Raj Thilak, the learned Government Advocate (Crl. Side) would submit that the investigation in this case is almost completed and charge sheet to be filed soon. He would further submit that there was a dispute over the property between the petitioner and her brother. The named accused are known to her brother. The apprehension of the petitioner is that the named accused are the reason for her brother to compel the petitioner to settle the property as per his dictum.

5.It is seen from the status report that the Sub-Inspector of Police on 29.06.2021 had given a requisition to receive the wound certificate from Kilpauk Medical Hospital and also given a questionnaire with regard to the manner in which the wounds caused. In this



CrI.O.P.No.5916 of 2023

case, so far eight witnesses have been examined and the statements recorded and documents are to be collected. LW1 is the defacto complainant, LW2 is the husband of the defacto complainant, LW3 & LW4 are the witnesses to the Observation Mahazar and Rough Sketch. LW5 is the Superintendent of Women's Hostel. LW6 and LW7 are the neighbours of the defacto complainant. The doctors who have examined the defacto complainant and other official witnesses have to be examined in this case.

6.The learned Government Advocate would submit that after obtaining medical certificate and forensic report, a charge sheet in this case will be filed and seeks short accommodation for reporting compliance. Post the matter on 16.08.2021."

(vi)The above criminal original petition was finally disposed of on 27.07.2022 on the ground that the investigation has been completed and the final report has already been filed before the learned Judicial Magistrate – I, Chengalpet.



CrI.O.P.No.5916 of 2023

WEB COPY

(vii) It is seen from the status report filed by the first respondent that the final report was filed before the learned Judicial Magistrate, Chengalpet for the offences under Sections 448, 326(A) IPC and Section 4 of Tamil Nadu Prevention of Women Harassment Act. This was taken on file in PRC No.39 of 2022 and subsequently, the case was committed to the file of the Additional Mahila Court, Chengalpet and it is now pending in S.C.No.204 of 2022. The case is now at the stage of trial and the case is posted for hearing on 25.03.2024. The petitioner has filed the present petition seeking for further investigation in the above case on the ground that the Investigation Officer has conducted a slip shod investigation and has recorded statements under Section 161(3) of Cr.P.C. which will ultimately benefit the accused persons. It is further stated that even the expert witnesses except one of the Doctor have stated as if the petitioner has an old injury and it might not have been caused due to acid attack. The saving grace for the petitioner is the statement that was recorded from one of the Doctor named Divya Devi who had stated that the injuries sustained by the petitioner are fresh injuries and it is a superficial burn which could have been sustained by any chemical (acid/ alkali) or hot liquid which comes in contact with the skin.



CrI.O.P.No.5916 of 2023

WEB COPY

(viii) The manner in which the investigation had taken place in this case and the influence that was wielded by the accused persons has been captured in the order passed by this Court in CrI.M.P.No.13756 of 2021 dated 23.03.2022 when this Court had cancelled the anticipatory bail that was granted in favour of the accused persons. The relevant portions in that order are extracted hereunder:

"18. In the instant case, by order dated 14/12/2018 anticipatory bail granted by this Court based on the information given by the Additional Public Prosecutor which was upon the instruction given by the 12th respondent. The said information was not true and contrary to the facts. The false instruction on behalf of the 12th respondent is the cause for granting the anticipatory bail on condition to deposit Rs.20,000/- jointly and report before the Investigating Officer for investigation, as and when required. This order came to be passed on 14/12/2018, because this Court was not informed about the closure of the complaint as mistake of fact on 11/12/2018. The hurriedly closure of complaint on very next day after receiving the complaint,



WEB COPY



CrI.O.P.No.5916 of 2023

failure to examine the CCTV footage produced by the defacto complainant, the later acid attack on the defacto complainant, omission to register the acid attack complaint under appropriate section of law, failure to file final report in the acid attack case even after direction from the Court all put together, leads to the conclusion that, the anticipatory bail granted to the respondents 1 to 11 on 14/12/2018 not on proper reason and same is grossly abused. This Court has been misled by the false and erroneous information provided by the 12 th respondent. The conduct of the 12th respondent gives an impression that the false and erroneous information provided to this Court with ulterior intention.

19. Anticipatory Bail obtained by playing fraud on the Court is to be deprecated. More particularly, when the said fraud is played by the accused persons with the help of the prosecution agency. The clout they had with the 12 th respondent could be seen from the subsequent conduct and inaction of the 12 th respondent. Therefore, this Court is of the view that, the anticipatory bail granted to the respondents 1 to 11 has to be cancelled for the



CrI.O.P.No.5916 of 2023

singular reason that the accused persons have sabotaged the investigation and threatened the victim/witness.

20. Accordingly, the Criminal Miscellaneous Petition No.13756 of 2021 is allowed. The 12th respondent is directed to secure the respondents 1 to 11 and proceed in accordance with law and make them available for trial without any interference to the progress of the trial."

(ix)Inspite of the above order, there is absolutely no indication in the status report as to whether any of the accused persons were arrested in this case for custodial interrogation. Therefore, inspite of repeated orders passed by this Court, the investigation seems to have been influenced by the accused persons and therefore, the petitioner is made to knock the doors of this Court repeatedly right from the year 2019 onwards.

3.When the matter came up for hearing on 14.03.2024, this Court passed the following order:

"On going through the materials



WEB COPY



CrI.O.P.No.5916 of 2023

placed before this Court, it is seen that a slipshod investigation has been taken place in this case and this case definitely requires further investigation by a different agency. The learned counsel submitted that there was another separate incident that took place on 10.12.2018, wherein, the entire house belonging to the petitioner was demolished illegally. Even in that case, the investigation was not properly carried out and the Court below had directed for further investigation to be conducted by Thazhampur Police station and the same is pending.

2. Considering the seriousness of the allegations made in this case and considering the fact that there is some political undertone found which seems to be influencing the investigation, there shall be a direction to the 1st respondent to file a status report providing all the details regarding the cases pending in order to enable this Court to pass final orders in this petition.

3. Post this case on 21.03.2024 under the caption for orders.”



CrI.O.P.No.5916 of 2023

WEB COPY

4.Pursuant to that order, a status report has been filed by the first respondent today. The first respondent has attempted to project as if there is a property dispute between the parties which has resulted in various complaints given against each other. The first respondent has also stated that a free, fair and impartial investigation has been conducted in this case.

5.Heard the learned counsel appearing on behalf of the petitioner, the learned Government Advocate (CrI. Side) appearing on behalf of the first respondent and the learned counsel appearing on behalf of the respondents 2 to 4.

6.The above facts coupled with the various orders passed by this Court, shows that the accused persons have a lot of influence in this case. The order passed by the learned Judicial Magistrate No.I, Chengalpattu shows that the accused persons were able to get away after causing huge damage to the property and a referred charge sheet was filed on the ground of mistake of fact. The further investigation that was ordered continues to be in paper and nothing has come out of this further investigation.



CrI.O.P.No.5916 of 2023

WEB COPY

7.The accused persons were initially granted anticipatory bail by this Court in CrI.O.P.No.29272 of 2018 by order dated 14.12.2018. Admittedly during this time the petitioner was attacked by throwing acid on her abdomen as a result of which she suffered superficial injuries in her abdomen. Even after sustaining such a serious injury, the petitioner was made to run from pillar to post in order to get the offence altered.

8.In the instant case, there is a CCTV footage available to show that after the acid attack was made on the petitioner, the accused persons were seen running out of the property. This footage was copied in a compact disc. However, L.W.4 who has been examined by the Investigation Officer states as if there is absolutely no footage available to show that any one had come to the property of the petitioner on 13.12.2018. Even in the list of documents that have been filed along with the final report, there is no indication that this CCTV footage which was copied in the CD was sent for expert analysis. Such a crucial piece of evidence has been given a go bye by the Investigation Officer and that shows the manner in which the investigation has taken place in this case.



CrI.O.P.No.5916 of 2023

WEB COPY

9.This Court also carefully wet through the 161 statements that have been recorded. For instance, the 161 statement that was recorded from the petitioner, if subjected to cross examination, will completely go against the petitioner and it gives sufficient loop holes for the accused persons to come out of the case. If the case goes for a trial with the available materials, either the accused persons will be given the benefit of doubt or the case will end in acquittal because of the faulty investigation that has been carried out by the respondent police.

10.In the considered view of this Court, the investigation conducted by the police is a process of finding the truth in the case. The Apex Court has repeatedly held that the Investigation Officer should conduct a fair and impartial investigation failing which, all the subsequent proceedings will fall like a pack of cards. This Court does not want to burden this order by extracting all the judgments of the Apex Court touching upon the issue of fair investigation. The law on the issue is now too well settled. It will suffice to take note of the latest judgment of the Apex Court in ***Shailesh Kumar Vs. State of U.P. (now State of Uttarakhand)*** reported in ***(2024) 1 MLJ (CrI.)***



564 (SC) and the relevant portions are extracted hereunder:

17. An investigation of a crime is a lawful search of men and materials relevant in reconstructing and recreating the circumstances of an offence said to have been committed. With the evidence in possession, an Investigating Officer shall travel back in time and, therefore tick off the time zone to reach the exact time and date of the occurrence of the incident under investigation. The goal of investigation is to determine the truth which would help the Investigating Officer to form a correct opinion on the culpability of the named accused or suspect. Once such an opinion is formed on a fair assessment of the evidence collected in the investigation, the role of the court comes into play when the evidence i.e. oral, documentary, circumstantial, scientific, electronic, etc. is presented for and on behalf of the prosecution. In its journey towards determining the truth, a court shall play an active role while acknowledging the respective roles meant to be played by the prosecution and the defence. During the entire play, the rules of evidence ought to be honoured, sprinkled with the element of fairness through due procedure. Adequate opportunities would have to be given to challenge every assumption. Administration of criminal justice lies in determining the guilt of the accused beyond reasonable doubt. The power of the State to prosecute an accused commences with investigation, collection of



CrI.O.P.No.5916 of 2023

evidence and presentation before the Court for acceptance.

18. The investigating agency, the prosecutor and the defence are expected to lend ample assistance to the court in order to decipher the truth. As the investigating agency is supposed to investigate a crime, its primary duty is to find out the plausible offender through the materials collected. It may or may not be possible for the said agency to collect every material, but it has to form its opinion with the available material. There is no need for such an agency to fix someone as an accused at any cost. It is ultimately for the court to decide who the culprit is.

Arvind Kumar @ Nemichand & Ors. v. State of Rajasthan, (2021) 11 SCR 237,

"Fair, Defective, Colourable Investigation

40. An Investigating Officer being a public servant is expected to conduct the investigation fairly. While doing so, he is expected to look for materials available for coming to a correct conclusion. He is concerned with the offense as against an offender. It is the offense that he investigates. Whenever a homicide happens, an investigating officer is expected to cover all the aspects and, in the process, shall always keep in mind as to whether the offence would come under Section 299 IPC sans Section 300



WEB COPY



CrI.O.P.No.5916 of 2023

*IPC. In other words, it is his primary duty to satisfy that a case would fall under culpable homicide not amounting to murder and then a murder. When there are adequate materials available, he shall not be overzealous in preparing a case for an offense punishable under Section 302 IPC. **We believe that a pliable change is required in the mind of the Investigating Officer. After all, such an officer is an officer of the court also and his duty is to find out the truth and help the court in coming to the correct conclusion. He does not know sides, either of the victim or the accused but shall only be guided by law and be an epitome of fairness in his investigation.***

41 . There is a subtle difference between a defective investigation, and one brought forth by a calculated and deliberate action or inaction. A defective investigation per se would not enure to the benefit of the accused, unless it goes into the root of the very case of the prosecution being fundamental in nature. While dealing with a defective investigation, a court of law is expected to sift the evidence available and find out the truth on the principle that



WEB COPY



CrI.O.P.No.5916 of 2023

every case involves a journey towards truth. There shall not be any pedantic approach either by the prosecution or by the court as a case involves an element of law rather than morality.

xxx xxx xxx

44. We would only reiterate the aforesaid principle qua a fair investigation through the following judgment of *Kumar v. State*, (2018) 7 SCC 536:

"27. The action of investigating authority in pursuing the case in the manner in which they have done must be rebuked. The High Court on this aspect, correctly notices that the police authorities have botched up the arrest for reasons best known to them. Although we are aware of the ratio laid down in *Parbhu v. King Emperor* [*Parbhu v. King Emperor*, AIR 1944 PC 73], wherein the Court had ruled that irregularity and illegality of arrest would not affect the culpability of the offence if the same is proved by cogent evidence, yet in this case at hand, such irregularity should be shown deference as the investigating authorities are responsible for suppression of facts.

28. The criminal justice must be above reproach. It is irrelevant whether the



falsity lie in the statement of witnesses or the guilt of the accused. The investigative authority has a responsibility to investigate in a fair manner and elicit truth. At the cost of repetition, I must remind the authorities concerned to take up the investigation in a neutral manner, without having regard to the ultimate result. In this case at hand, we cannot close our eyes to what has happened; regardless of guilt or the asserted persuasiveness of the evidence, the aspect wherein the police has actively connived to suppress the facts, cannot be ignored or overlooked."

45. A fair investigation would become a colourable one when there involves a suppression. Suppressing the motive, injuries and other existing factors which will have the effect of modifying or altering the charge would amount to a perfunctory investigation and, therefore, become a false narrative. If the courts find that the foundation of the prosecution case is false and would not conform to the doctrine of fairness as against a conscious suppression, then the very case of the prosecution falls to the ground unless there are unimpeachable



evidence to come to a conclusion for awarding a punishment on a different charge."

(emphasis supplied)

***19.Common Cause and Others v. Union of India,
(2015) 6 SCC 332,***

"31. There is a very high degree of responsibility placed on an investigating agency to ensure that an innocent person is not subjected to a criminal trial. This responsibility is coupled with an equally high degree of ethical rectitude required of an investigating officer or an investigating agency to ensure that the investigations are carried out without any bias and are conducted in all fairness not only to the accused person but also to the victim of any crime, whether the victim is an individual or the State."

11.On a careful consideration of the entire materials placed before this Court, it can be seen that the investigation has not been properly carried out both in Crime No.641 of 2018 and Crime No.644 of 2018. On the face of the records, it can be seen that the accused persons wielded a lot of influence which resulted in an unfair investigation in both the F.I.Rs. Infact, the further investigation that



CrI.O.P.No.5916 of 2023

was ordered by the learned Judicial Magistrate in Crime No.641 of 2018, is yet to see the light of the day. Hence, this Court has to necessarily exercise its jurisdiction and ensure that justice is rendered to the petitioner.

12.In the light of the above discussion, the investigation in Crime No.641 of 2018 and Crime No.644 of 2018 is transferred to the file of CBCID. The first respondent namely, The Inspector of Police, E-9 Thazambur Police Station, Kancheepuram District is directed to hand over the entire case diary pertaining to both the F.I.Rs. in Crime No.641 of 2018 and Crime No.644 of 2018 to the ADGP, CBCID, Chennai, within a period of one week from the date of receipt of a copy of this order.

13.The ADGP, CBCID, Chennai, on receipt of the case diaries shall hand over the investigation to an Officer in the rank of Inspector of Police, CBCID, for carrying further investigation in both Crime No.641 of 2018 and Crime No.644 of 2018. The further investigation shall be proceeded with effectively and all efforts shall be made to conclude the same within a period of three months thereafter. The



CrI.O.P.No.5916 of 2023

proceedings in S.C.No.204 of 2022 on the file of the Mahila Court, Chengalpattu, Kancheepuram, shall be kept in abeyance till the further report/ supplementary report is filed in Crime No.644 of 2018. Similarly, on completion of the investigation in Crime No.641 of 2018, the final report shall be filed before the appropriate Court.

14.This criminal original petition is disposed of with the above directions.

26.03.2024

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Mahila Court,
Chengalpattu,
Kancheepuram.
- 2.The Inspector of Police,
E-9 Thazambur Police Station,
Kancheepuram District.
Crime No.644 of 2018
- 3.The Public Prosecutor,
High Court of Madras,
Chennai 600 104.



WEB COPY



CrI.O.P.No.5916 of 2023

N.ANAND VENKATESH,J.
pri

CrI.O.P.No.5916 of 2023

26.03.2024