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Crl.O.P.No.18482 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2024

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THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.18482 of 2024

Anitha

... Petitioner

Vs.

1. Additional Superintendent of Police,
Crime against Women & Children (CWC),
Cuddalore District, Cuddalore.

2. Inspector of Police,
Ramanatham Police Station,
Cuddalore District,
Crime No.140 of 2024.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to transfer the case in Crime No.140 of 2024, pending investigation on the file of the Inspector of Police, Ramanatham Police Station, Cuddalore District to First respondent Crime against Women and Children (CWC) to conduct fair investigation into the matter in accordance with law.



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For Petitioner : Mr.M.Velmurugan

For Respondents : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

Learned Government Advocate (Crl.Side) appearing for the respondents-Police states that D.N.A test in respect of the child in the womb, is not possible and hence, the Doctors have returned the accused, who was produced for collecting the sample, on the ground that sample has to be drawn simultaneously from mother, child and the suspected father. The learned Government Advocate further states that the child in the womb is presently six months old.

2. In view of the above said fact, the respondents-Police are directed to collect D.N.A samples soon after the birth of the child and proceed further in accordance with law. Since the delay is only because of technical reasons as stated above, this Court finds no reason for transfer of investigation to some other agency. Hence, this Criminal Original Petition is disposed of, directing the second respondent/Inspector of Police, Ramanatham, Cuddalore District, to proceed with the collection of sample for D.N.A test, soon after the



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child's birth and complete the investigation thereafter within a period of
three months.

09.09.2024

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
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To

1. The Additional Superintendent of Police,
Crime against Women & Children (CWC),
Cuddalore District, Cuddalore.
2. The Inspector of Police,
Ramanatham Police Station,
Cuddalore District.
3. The Public Prosecutor,
High Court, Madras.



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Dr.G.JAYACHANDRAN, J

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