



WP(MD)No.6856 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

W.P.(MD)No.6856 of 2024

Sangeetha

... Petitioner

/vs./

1.The Superintendent of Police

Office of the Superintendent of Police,
Madurai District.

2.The Deputy Superintendent of Police,

Office of the Deputy Superintendent of Police,
Samayanallur, Madurai District.

3.The Inspector of Police

Kadupatti Police Station,
Madurai District.

4.The Inspector of Police

All Women Police Station,
Madurai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first Respondent to appoint an investigation officer not below the rank of Deputy Superintendent of Police to enquire the case in Crime No.22 of 2024 on the file of the third Respondent police.



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For Petitioner : Mr.A.S.Abul Kalam Azad
for M/s.Spicy Law Firm
For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)

ORDER

The learned Counsel for the Petitioner submits that the Petitioner is the defacto complainant. The Petitioner's daughter, aged about 14 years, had eloped with a boy aged about 18 years. Based on the missing of the girl, the Petitioner herein preferred a complaint with the Inspector of Police, Kadupatti Police Station, Madurai District. The case was registered in Crime No.22 of 2024 on the file of the third Respondent. It is the further submission of the learned Counsel for the Petitioner that instead of arresting the 18 years old boy, the Inspector of Police, Kadupatti Police Station, had not arrested him. 18 years boy is scot free. Therefore, not satisfied with the investigation by the Inspector of Police, Kadupatti Police Station, the Petitioner had filed this Writ Petition, seeking transfer of the investigation from the file of the third Respondent to any other investigation officer or agency.



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2. The learned Government Advocate (Criminal Side) on instructions of the Respondent Police would submit that Section 164 Cr.P.C statement of the victim, which is mandatory provision, was taken by the learned Judicial Magistrate, Vadipatti in CrI.M.P.No.1562/2024. Therefore, it is the contention of the learned Government Advocate (Criminal Side) that during the course of the investigation, the accused boy is alleged to have committed suicide and a case in Crime No.41 of 2024 had been registered.

3. Recording the submission of the learned Government Advocate (Criminal Side), this Writ Petition is closed. No costs.

28.03.2024

Index : Yes / No

Internet : Yes / No

NCC : Yes/ No

LS

TO:

1.The Superintendent of Police

Office of the Superintendent of Police,
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2.The Deputy Superintendent of Police,

Office of the Deputy Superintendent of Police,
Samayanallur, Madurai District.



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SATHI KUMAR SUKUMARA KURUP, J.

LS

3.The Inspector of Police

Kadupatti Police Station,
Madurai District.

4.The Inspector of Police

All Women Police Station,
Madurai District.

5. The Additional Public Prosecutor,

Madurai Bench of Madras High Court,
Madurai.

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