



Crl.O.P.(MD)No.10721 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.OP(MD)No.10721 of 2024

R.Revathy

... Petitioner

Vs

1.The Superintendent of Police,
SH 44,District Collectorate,
Sulakkarai,
Virudhunagar 626 002.

2.The Deputy Superintendent of Police,
Police Sub Division Camp Office,
Tenkasi Madurai Road,
Srivilliputhur,
Virudhunagar District.

3.The Inspector of Police,
Srivilliputhur Town Police Station,
Srivilliputhur,
Virudhunagar District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to withdraw the case in Crime No.263 of 2024 on the file of the third respondent and to transfer the same to any other agency.



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For Petitioner : Mr.Vijayarathinam.M,
For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to transfer the case in Crime No.263 of 2024, pending on the file of the third respondent to some other investigation agency.

2.The learned Counsel appearing for the petitioner submits that the petitioner is an Advocate. Her father was assaulted on 16.07.2023 by the accused, for which, an FIR in Crime No.318 of 2023 was registered. However, the respondent police have not taken any serious steps. Since no steps have been taken, again the accused has assaulted the petitioner and caused serious injuries. Despite the same, the respondent police have registered a case in Crime No.263 of 2024 only for the offence under Sections 147, 148, 323, 324 and 506(2) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002, enabling the accused to escape from the clutches of law. Therefore, the petitioner apprehends that the respondent police may not conduct the investigation in a proper manner.



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3.The learned Counsel appearing for the petitioner has produced a copy of the video displaying the manner, in which, the accused has assaulted the petitioner's father in the previous occurrence and also produced a photo, which reveals the manner, in which, the petitioner was assaulted on 20.06.2024.

4.It appears that the respondent police has not arrested the accused in Crime No.318 of 2023, which was registered on the basis of the first occurrence. The grievance of the petitioner is that in the event if proper action was taken in Crime No.318 of 2023, the second incident could have been prevented.

5.Due to the manner, in which, the investigation has been conducted in Crime No.318 of 2023 by the investigation agency, the accused has committed the offence for the second time. Therefore, this Court is inclined to transfer the investigation in Crime No.263 of 2024. The Superintendent of Police is directed to transfer the investigation in Crime No.263 of 2024, from the file of the respondent police and entrust the same to some other sincere officer.



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6.With the above direction, this criminal original petition is allowed.

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NCC : Yes/No
Index : Yes/No
Internet:Yes
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To

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Srivilliputhur,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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Order made in
Crl.OP(MD)No.10721 of 2024

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