



CRL.O.P (MD) No.11870 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL.O.P (MD) No.11870 of 2024

Chithra

... Petitioner

Vs

**1. The Superintendent of Police,
Trichy District,
Trichy.**

**2. The Deputy Superintendent of Police,
Musiri, Trichy District.**

**3. The Inspector of Police,
Uppiliyapuram Police Station,
Trichy District.
(Crime No. 162 of 2023)**

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to transfer the investigation the case in Crime No.162 of 2023 on the file of 3rd respondent police and entrust the same to any other competent officer for fair and free investigation.

For Petitioner : Mr.K.Arunraj

**For R1 to R3 : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)**



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ORDER

This criminal original petition has been filed seeking a direction to transfer the investigation in Crime No.162 of 2023 on the file of 3rd respondent police and entrust the same to any other competent officer.

2. The learned Counsel for the petitioner submits that the petitioner is the wife of the accused and the defacto complainant in this case is the aggressor. However, the respondent police has registered the case as against the petitioner's husband. He further submits that the petitioner is also having CCTV footage as to the manner in which the occurrence has taken place and the respondent police in order to help the defacto complainant has foisted a false complaint as against the petitioner's husband.

3. The learned Government Advocate (Crl. Side) on instruction from the respondent police submits that the accused in Crime No.162 of 2023 died on 03.06.2023. Therefore, the respondent police has filed the final report as if the charge has been abated.



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4. The petitioner claims that the defacto complainant is the real accused and she is having evidence to that effect. However, the petitioner's husband has been projected as an accused and the final report has been filed as against him and they have also closed the case without even taking appropriate action as against the defacto complainant.

5. Considering the rival submissions made, this Court is directing the Superintendent of Police, Trichy, to entrust the case with some other Investigation Officer and verify the CCTV footage which is in possession of the petitioner and take appropriate action.

6. With the above said direction, this Criminal Original Petition is disposed of.

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

29.07.2024

jbr



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1. The Superintendent of Police,
Trichy District,
Trichy.
2. The Deputy Superintendent of Police,
Musiri, Trichy District.
3. The Inspector of Police,
Uppiliyapuram Police Station,
Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

jbr

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