



Crl.O.P.(MD)No.18048 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.18048 of 2024

S.Suthalakshmi

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur, Thanjavur District.

2.The Deputy Superintendent of Police,
Thiruvudaimaruthur Circle,
Thanjavur District.

3.The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.
(Crime No.133 of 2024)

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to transfer the investigation in Crime No. 133 of 2024 dated 23.02.2024 on the file of the third respondent police to some other impartial investigating agency like CBCID.

For Petitioner : Mr.M.Karunanithi

For Respondents : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



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ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the first respondent to transfer the investigation in Crime No.133 of 2024 dated 23.02.2024 on the file of the third respondent police to some other impartial investigating agency like CBCID.

2. It is seen from the records that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.133 of 2024 on 23.02.2024 for the offence under Section 174(3) Cr.P.C.

3. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the respondents would submit that the third respondent has subsequently altered the case to the offence under POCSO Act and Sections 366, 376A and 302 IPC and after investigation, has prepared the final report as charge abated stating that victim was raped by the accused Dilipan and subsequently he hanged himself.



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4. Considering the above, the third respondent is directed to serve RCS notice on the petitioner/defacto complainant immediately and file the final report before the jurisdictional Court within a period of two weeks from the date of receipt of a copy of this order, if not filed earlier.

5. With the above direction, this Criminal Original Petition stands disposed of. The petitioner is at liberty to file a protest petition, if so advised.

21.10.2024

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

To

- 1.The Superintendent of Police,
Thanjavur,
Thanjavur District.
- 2.The Deputy Superintendent of Police,
Thiruvidadaimaruthur Circle,
Thanjavur District.
- 3.The Inspector of Police,
Nachiyarkoil Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.18048 of 2024

Dated: 21.10.2024