



Crl.O.P.No.32647 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.32647 of 2024

V.Lalitha

... Petitioner

Vs.

1. The State Represented by
The Superintendent of Police,
The Office of Superintendent of Police,
Namakkal.

2. The Inspector of Police,
Komarapalayam Police Station,
Namakkal, Crime No.453 of 2024.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C./ 528 BNSS 2023, to transfer the investigation in Crime No.453 of 2024 on the file of the respondent Police to some other investigation officer with the supervision of the first respondent.

For Petitioner : Mr.R.Prabakar

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to transfer the investigation



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in Crime No.453 of 2024 on the file of the second respondent-Police to some other Investigating Officer under the supervision of the first respondent-Police.

2. According to the petitioner, he has lodged a complaint before the second respondent on 27.11.2024 against the accused. The second respondent-Police, who in turn registered a case in Crime No.453 of 2024 for 'Girl Missing', later the same was altered into Sections 87 of the Bharatiya Nyaya Sanhit, 2023 and 9 and 11 of the Prohibition of Child Marriage Act, 2006 and 5(l) r/w 6 of the Protection of Children from Sexual Offences Act, 2012. After alteration of the Sections, the second respondent-Police did not conduct proper investigation and also they did not take any efforts to secure the accused. Therefore, the petitioner sent a representation dated 19.12.2024 to the first respondent-Police seeking to take appropriate action as against the accused, but the first respondent has not taken any action and hence, the present petition has been filed.

3. Learned Additional Public Prosecutor appearing for the respondents-Police, on instructions, submitted that the second



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respondent-Police has already secured the accused in Crime No.453 of 2024 and he was in judicial custody.

4. In view of the above submission made by the learned Additional Public Prosecutor, this Court is of the view that since the respondents-Police have already secured the accused, there is no need to transfer the investigation from the second respondent-Police to some other Investigating Officer. However, the respondents-Police is directed to expedite the investigation and file a charge-sheet as expeditiously as possible, preferably within a period of two months from the date of receipt of a copy of this order.

5. Accordingly, this Criminal Original Petition is disposed of.

06.01.2025

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

1. The Superintendent of Police,
The Office of Superintendent of Police,
Namakkal.
2. The Inspector of Police,
Komarapalayam Police Station,
Namakkal.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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