



Crl.O.P.(MD)No.12777 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.07.2023**

CORAM

THE HON'BLE DR.JUSTICE D.NAGARJUN

Crl.O.P.(MD)No.12777 of 2023

M.Athammal

... Petitioner

Vs.

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

2.The Inspector of Police,
Mathichiyam Police Station,
Madurai District.

3.Kajakumar

4.Mani

5.Panju

6.Nandhini

7.Sinthu

8.Alagammal

... Respondents



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PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondent No.1 to take steps to recover the gold jewels involved in the crime from the respondents 3 to 8 based on the FIR in Crime No.113 of 2022 on the file of the second respondent Police.

For Petitioner : Mr.V.Kishore Kumar
For R1 & R2 : Mr.S.S.Madhavan
Government Advocate (crl.side)

ORDER

This Criminal Original Petition is filed seeking for a direction to the first respondent Police to recover the gold jewels belonging to the petitioner from the respondents 3 to 8.

2. It is submitted by the learned counsel appearing for the petitioner that on a complaint given by the petitioner that the respondents 3 to 8 have snatched the gold chain from the petitioner's neck, a case has been registered in Crime No.113 of 2022 against the respondents 3 to 8

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for the offence punishable under Sections 147, 324, 379 and 506 (1) of IPC. However, the respondents Police are not investigating in that line.

3. The learned Additional Public Prosecutor appearing for the respondents 1 and 2, on the other hand, submits that the respondents Police have completed the investigation and filed the charge sheet on 17.10.2022 for the offence punishable under Sections 147, 324, 379 and 506 (1) of IPC. The allegation in respect of snatching of gold chain belonging to the petitioner was found to be incorrect during the course of investigation.

4. Since the charge sheet has been filed after completion of investigation, the present petition seeking for a direction to the respondents 1 and 2 Police to recover the gold jewels belonging to the petitioner has become infructuous.

5. Accordingly, this Criminal Original Petition is dismissed. However, if the petitioner has any grievance in respect of nature of the



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investigation conducted by the Police, she is at liberty to approach the trial Court and file an appropriate application for further investigation.

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

To

- 1.The Superintendent of Police,
Madurai,
Madurai District.
- 2.The Inspector of Police,
Mathichiyam Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN,J

ssb

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