



CRL OP(MD). No. 16152 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 08.04.2026

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THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 16152 of 2023

K.Manoharan

...Petitioner

Vs

1. The Superintendent of Police
Collector Office Campus
Dindigul District

2.The Inspector of Police
Thadikombu Police Station,
Dindigul
Crime No.505 of 2018

...Respondent

PRAYER : Petition filed under Section 482 of Cr.P.C., to transfer the case in Crime No.505 of 2018 on the file of the second respondent to some other independent investigation agency .

For Petitioner : Mr.S.Sankar
For Respondents : Mr.P.Kottaichamy
Government Advocate(Crl.Side)



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ORDER

This Criminal Original has been filed to transfer the case in Crime No.505 of 2018 on the file of the second respondent to some other independent investigation agency .

2. The learned counsel appearing for the petitioner would submit that the petitioner is the practising advocate in Dindigul District and on 06.12.2018 the petitioner went to Court at about 10.30 a.m., and his wife and his daughter went to write Forest examination in the centre at Subramanian Engineering College at Palani.. Taking advantage of the absence of the petitioner's family some unknown persons entered into the house and broke open the door and almirah door was also opened and has taken away seven sovereigns of gold chain, two sovereigns of dollar chain, two sovereigns (5 set) ear ring, one sovereign one Jodi. ½ sovereign two rings. Totally 12 ½ sovereigns gold jewels and Rs.8500/- were missing, thereby he lodged complaint before the second respondent and the same has been registered in Crime No.505 of 2018 for the offences under Sections 454 and 380 of IPC. The second respondent has not investigated the case in a proper manner and unable to find out the missing jewels. The petitioner made representation dated 10.06.2022 before the first respondent to take

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appropriate action for his complaint, but no action was taken, hence he has filed the present petition for transfer of investigation.

3. The learned Government Advocate(Crl.Side) appearing for the respondents would submit that based on the complaint lodged by the defacto complainant the second respondent has registered a case in Crime No.505 of 2018 for the offences under Sections 454 and 380 of IPC on 06.12.2018. They also investigated the case, recorded the statement of the witnesses and prepared observation mahazhar and rough sketch and the officials from the forensic department were also examined. Finger print expert also examined the place of occurrence and collected samples . Further the list of habitual offenders were received from the first respondent office and mobile towers closed to the place of occurrence were also analyzed and further search was conducted in and around Dindigul District and secret spies were set to find out the identity of the accused. Inspite of their serious efforts they were unable to identify the accused,hence they closed the case as Undetected on 10.09.2023. Meanwhile the petitioner herein preferred a direction petition before this Court seeking transfer of investigation of this case and during the course of hearing on 14.09.2023 this Court had directed the first respondent to form a



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special team and to investigate the case. Thereafter the first respondent formed a special team of police vide proceedings in C.No.C1/23056/2023 dated 10.01.2024 and they received an information that one Selvam, S/o.Kasi was indulged in a case in Crime No.415 of 2024 under Sections 457, 380 of IPC registered by the Dindigul Taluk Police Station and during the course of investigation in that case the said Selvam gave a voluntary confession statement about his involvement in the present case and also he had sold 44gms to an unknown person in Madurai gold bazaar and received Rs.44,000/- as cash and melted 56grams of gold into ingot and kept the same in his house. Further he confessed that he had lavishly spent the money and thereafter the said Selvam was arrayed as an accused in this case. The accused also returned back 56 grams of gold ingot and further after completion of investigation the second respondent has filed final report before the learned Judicial Magistrate No.II, Dindigul and the same was taken on file in CC No.179 of 2026 and the case is posted for further proceedings. Since the investigation was completed and charge sheet was filed there is no necessity to transfer the case, hence he seeks dismissal of the petition,

4.Heard both sides and perused the materials available on record.



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5. The main contention of the petitioner is that somebody had stolen the jewels and cash kept in the house of the petitioner and thereby he lodged complaint. Based on the complaint the second respondent registered a case in Crime No.505 of 2018 for the offences under Sections 454, 380 of IPC. After registration of the case the second respondent has not taken any steps to trace out the accused and they are unable to identify the accused. During the pendency of this petition they identified the accused and also recovered some jewels and some of the jewels were sold by the accused and money has been spent by him lavishly. The petitioner also received 50gms of ingots and thereafter the investigation officer has filed final report and the same is pending on the file of the Judicial Magistrate No.II, Dindigul . in CC No.179 of 2026. Since the accused was identified and part of the jewels were recovered there are no specific allegations as against the investigating officer, hence it is not appropriate to transfer the investigation at this stage.

6.Hence the petition stands dismissed.

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Index: Yes/No

NCC: Yes/No

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To

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1. The Superintendent of Police
Collector Office Campus
Dindigul District

2. The Inspector of Police
Thadikombu Police Station,
Dindigul

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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P. DHANABAL, J

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