

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2015

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

CrI.O.P.No.24193 of 2015

K.Sumathi

... Petitioner

Vs

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

2.The State,
Represented by Inspector of Police,
Thiruchengode Town Police Station,
Thiruchengode, Namakkal District.
(Crime No.295/2015)

.... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the pending investigation of Crime No.295 of 2015 on the file of the Tiruchengode Town Police Station, to some other independent agency more particularly CBCID Namakkal District.

For Petitioner : Mr.C.D.Johnson

For respondents : Mr.C.Emalias
Additional Public Prosecutor

O R D E R

This petition has been filed to transfer the pending investigation of Crime No.295 of 2015 on the file of the Tiruchengode Town Police Station, to some other independent agency more particularly CBCID Namakkal District.

2. The petitioner has stated that on 01.07.2015 at about 2.00p.m., she left her home by closing the door without locking it to drop the garbage in the dustbin in the Municipality garbage container. After returning home, she found that an unknown person inside the bedroom stealing the cash from the wardrobe. Immediately, she raised alarm alerting the neighbours. At that time, the accused person, pushed the petitioner down and ran away with cash. Somehow, the friends and neighbours caught hold of the accused person and they informed it to the

police. The 2nd respondent police took custody of the accused and asked the petitioner to give a written complaint. Hence, the petitioner gave a complaint stating that an unknown person entered into her house and committed robbery. The case was registered in Crime No. 295 of 2015 for the offence under sections 454, 380 IPC and the accused was shown as unknown person. The accused person is one Bharathkumar, S/o Loganathan residing at Paruthipatti, Tiruchengode Taluk, Namakkal District and he was admitted at Government Hospital Tiruchengode and thereafter, he was taken to private hospital. On the same day of registration of the case, the police recovered a sum of Rs.50,000/-. In spite of the same, the 2nd respondent police has registered the case showing the accused as "unknown person". Till date, the respondent police has not arrested the accused. The respondent police is very lethargic in their investigation. Hence, the present petition.

3. When the matter is taken up for consideration, learned Additional Public Prosecutor submitted that the accused was arrested and the entire amount was recovered. Thus, they opposed the transfer of investigation from the file of the 2nd respondent police.

4. In view of the submission made by the learned Additional Public Prosecutor, I am of the opinion that there is no need to transfer the investigation at this juncture. Recording, the submission made by the learned Additional Public Prosecutor, the criminal original petition is closed. However, the 2nd respondent police is directed to expedite the investigation and file a final report as early as possible.

vsi/cla

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Namakkal,
Namakkal District.
2. The Inspector of Police,
Thiruchengode Town Police Station,
Thiruchengode,
Namakkal District.

3. The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.C.D.Johnson, Advocate SR 67557

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