

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2016

CORAM :

THE HONOURABLE MS. JUSTICE R.MALA

Crl.O.P.No.5025 of 2016

P.Sivakumar

.. Petitioner

vs.

1.The State rep. by the Superintendent of Police
Salem District, Salem.

2.The Inspector of Police
Attur police station, Salem District. .. Respondents

Prayer:-Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the first respondent to transfer the investigation in Crime No.153 of 2015 pending on the file of the second respondent to the Inspector of Police, CBCID, Salem, Salem District.

For Petitioner :Mr.E.Kannadasan

For Respondents :Mr.C.Emalias
Addl. Public Prosecutor

सत्यमेव जयते
ORDER

This petition is filed for issuing a direction to the first respondent to transfer the investigation in Crime No.153 of 2015 pending on the file of the second respondent to the Inspector of Police, CBCID, Salem, Salem District.

2.Learned counsel for the petitioner submits that the case in Crime No.153 of 2015 has been registered against the accused for an offence under Section 379 IPC. But the respondents have not shown any interest to investigate the matter and file a final report. He further submits that since the respondents have not investigated the matter in a right direction, the petitioner has come forward with this petition

for the above stated relief.

3.Learned Additional Public Prosecutor submits that on the basis of the complaint given by the petitioner, the accused has been arrested and a sum of Rs.30,000/- and 33 grams of gold coins have been recovered from him. The remaining amount of Rs.2,20,000/- is yet to be recovered. The accused in his confession, stated that he spent the balance amount. He further submits that the investigation is considerably over and the respondents are ready to file the charge sheet. Under such circumstances, there is no necessity for transfer the investigation to the CBCID, Salem. Therefore, he prayed for dismissal of this petition.

4.Heard both sides.

5.On perusal of the typed set of papers, it reveals that on 04.03.2015, at about 15.20 hours, the alleged occurrence is said to have taken place and the petitioner has given the complaint on the same day. In the complaint, it was specifically mentioned that Rs.2,50,000/- cash and 33 grams of gold coins have been stolen. After due investigation, accused has been arrested and only Rs.30,000/- and 33 grams of gold coins have been recovered from him. It is pertinent to that investigation is considerably over. In such circumstances, I do not find any reason to transfer the investigation to the CBCID, Salem, since investigation is going on the right direction. The respondents police are directed to file a final report within a period of one month from the date of receipt of a copy of this order.

6.The Criminal Original Petition is disposed of with the above direction.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Superintendent of Police
Salem District, Salem.

2.The Inspector of Police
Attur police station, Salem District.

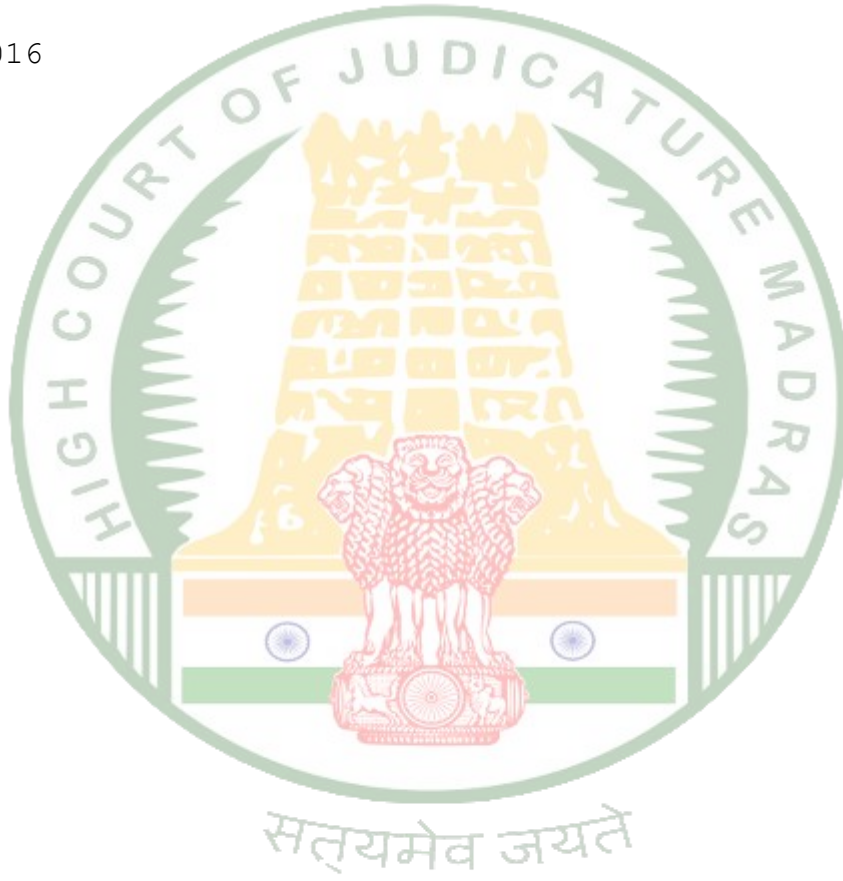
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3.The Public Prosecutor
High Court, Chennai.

+1 cc to Mr.C.Kannadasan Advocate sr.14811/16

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