



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2016

CORAM:

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THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.O.P.(MD) No.2075 of 2016

J.Gomathi

... Petitioner

vs.

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

2.The Inspector of Police,
Ottanchathiram Police Station,
Dindigul District.
(Crime No.609 of 2015) ... Respondents

PRAYER: This petition is preferred under Section 482 Cr.P.C., to direct the respondents to trace the petitioner's husband namely T.Jeganathan by proper investigating the case in Crime NO.609 of 2015 on the file of the second respondent police.

For Petitioner : Mr.T.Antony Arul Raj

For Respondents : Mr.K.V.Rajarajan
Government Advocate(Crl.Side)

O R D E R

This petition has been filed to direct the respondents to trace the petitioner's husband namely T.Jeganathan by properly investigating the case in Crime NO.609 of 2015 on the file of the second respondent police.

2. When the matter was taken up for hearing, the respondent police had filed status report wherein in paragraph Nos.2, 3, 4, 5 and 7, it is stated as follows:

"2. I Humbly submit that the matrix of the case is that the petitioner herein preferred a complaint stating that she is got married with one Jeganathan and residing at Bangalore and his husband doing Metal Business and purchased metal from various places and gave the same to one [redacted] who is also belongs to Bangalore and on 06.12.2015 contacted her over-phone and told that he was in Chennai and further he told that



"tomorrow on 07.12.2015 he returned to Oddanchathiram and also asked her to come Oddanchathiram and on 08.12.2015 he left from his in-laws residing by two wheeler bearing Reg. No. TN 57 U 6241 Hero Honda Splendor Plus and not returned to home. Based on the complaint a case was registered in Cr.No.609/2015 Under Section "Man Missing" and taken up for investigation.

3. I humbly submit that after registering the case the respondent police enquired the prosecution witnesses namely 1.Gomathi, W/o. Jeganathan, (who is the defacto complainant) 2. Parameswaran, S/o. Subramani, 3. Shanmugasundaram, S/o. Muthu Karuppaiah Pillai, 4, Chellamuthu, S/o. Subrarnani, 5.K-umaresan, 6. S.A.Subramani, S/o. Ammavasai and obtained their statement under section 161(3) Cr.P.C,

4. I humbly submit that the respondent police printed pamphlets containing the photograph and the details of the missing person and circulated the same in and around Dindigul District and also sent the requisition to the mobile service provider for getting call particulars of the mobile numbers 1.9578294977, 2.9842731219 3. 9489019083 which were used by the missing person.

5. I humbly submit that after getting the call details of the missing person's mobile phone the respondent police came to know that he was switched off his mobile phone in the Oddachathiram itself and the respondent police did not gathered any fruitful information from the call details of the mobile phone.

7.I humbly submit that the investigation and the statement of witnesses reveals that the missing person borrowed huge amount from various persons for his business and he will not able to repay the same and due to the debt he escaped from the residence and hide himself willfully. Further the petitioner herein also not co-operated with the respondent police and the respondent police take necessary steps to trace out the whereabouts of the missing person and also give requisition to the mobile provider to get call details of the mobile phone used by the petitioner herein."

3. In view of the above, this Court is of the view that it is not a fit case to transfer the investigation to any other agency. However, the Deputy Superintendent of Police, Ottanchathiram is directed to monitor the investigation in Cr.No.609 of 2015 and inform about the development if any.



With the above observations, this Criminal Original Petition is closed.

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/True Copy/

Sd/-
Assistant Registrar (AE)

Sub Assistant Registrar

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To

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

2.The Inspector of Police,
Ottanchanthiram Police Station,
Dindigul District.

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

COPY TO :

The Deputy Superintendent of Police
Ottanchathiram

GJM/GSV/PM/7.4.16-3p-5C

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