



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 18.02.2016

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WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP(MD) No.2986 of 2016

K.Rajaraman

.. Petitioner

Vs

State rep. By
The Inspector of Police,
Theppakulam Police Station(Crime),
Madurai District.
In Crime No. 1016 of 2015.

.. Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to take appropriate legal steps to search the house premises of the accused in Door No.29-A, Amzhad Street, New Meenakshi Nagar, Madurai 625 009 for recovery of misappropriated money.

For Petitioner : Mr.R.Aravindan

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

O R D E R

This petition has been filed under Section 482 of Cr.P.C seeking a direction to the respondent to take appropriate legal steps to search the house premises of the accused in Door No.29-A, Amzhad Street, New Meenakshi Nagar, Madurai 625 009 for recovery of misappropriated money.

2.I have heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) appearing for the respondent and I have also perused the records carefully.

3.It is seen that on the complaint lodged by the petitioner, a case in Crime No. 1016 of 2015 for offences under Sections 403, 406, 408, 420 and 477(A) IPC has been registered against one Ramesh, an employee of the petitioner's company for misappropriation of Rs.23,90,321/-.

4. It is the case of the petitioner that the police have not taken proper steps for recovering money and therefore, he has come up with the present petition seeking for a direction to the respondent police to search the house of the accused.

5. In the considered opinion of this Court, this Court cannot give any direction under Section 482 Cr.P.C to the Investigating Officer as prayed by the petitioner. Because, the manner in which investigation should be done is an exclusive preserve of the Investigating Officer.



6. Under such circumstances, this Court directs the Assistant Commissioner of Police, Town Crime, Madurai City to monitor the investigation in Crime No.1016 of 2015 on the file of Theppakulam Police Station and take appropriate action in accordance with law.

7. With the above direction, this Criminal Original Petition is disposed of.

Sd/
Assistant Registrar(RTI)

/TRUE COPY/

Sub Assistant Registrar(C.S)
Madurai Bench of Madras High Court,
Madurai.

To

1.The Inspector of Police,
Theppakulam Police Station(Crime),
Madurai District.

2. The Assistant Commissioner of Police,
Town Crime, Madurai City.

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

+1cc to M/S.R.Aravindan, Advocate in SR.No.9915

Cr1.OP(MD) No.2986 of 2016
18.02.2016

CM
PA/NGM-SS/25.02.2016/2P/5C