



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2017

CORAM:

THE HON'BLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P. (MD) No.3176 of 2017

WEB COPY

Balasubramanian

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Pattukkottai,
Thanjavur District.

2.The Assistant Superintendent of Police,
Pattukkottai,
Thanjavur District.

3.The Inspector of Police,
Town Police Station,
Pattukkottai, Thanjavur District.

4.Muthukumar
5.Krishnaveni
6.Santhana Kumar

... Respondents

Prayer: Petition filed under Section 482 of Code of Criminal Procedure, to direct the respondents 1 to 3 to recover from the respondents 4 to 6 the 40 sovereign of gold ornaments and Sreethana articles in Crime No.91 of 2015 based on the petitioner's representation dated 27.09.2016.

For Petitioner : Mr.A.Vadivel
For Respondents : Mr.A.P.Balasubramani,
G.A.(Cr1.side) for R1 to 3

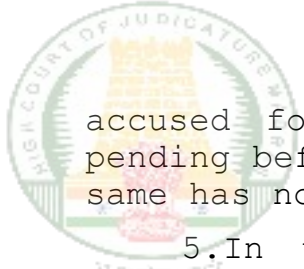
O R D E R

On the compliant lodged by the petitioner, the respondent Police registered a case in Crime No.91 of 2015 under Section 174 of Cr.P.C. pursuant to the death of the his daughter namely, Kalaiselvi on 16.02.2015 in her matrimonial home.

2.Now the present petition has been filed by the petitioner for a direction to the respondent Police to recover Sreethana articles and hand over the same to him.

3.Heard the learned counsel for the petitioner and the learned Government Advocate (Cr1.side) appearing for the respondents 1 to 3.

<https://hcservices.ecourts.gov.in/hcservices/>
4.The learned Government Advocate (Cr1.side) appearing for the respondents 1 to 3 submitted that investigation in Crime No.91 of 2015 has been completed and charge sheet has been filed against the



accused for the offence under Section 304 IPC and the case is pending before the learned Judicial Magistrate, Pattukkottai and the same has not been taken on file.

5. In the considered opinion of this Court, a direction as prayed for by the petitioner cannot be granted under Section 482 Cr.P.C. and that would amount to interfering with the process of investigation. That apart, in this case, investigation has been completed and charge sheet has also been filed before the Court.

6. In view of the above, this Criminal Original petition is closed.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Pattukkottai,
Thanjavur District.
2. The Assistant Superintendent of Police,
Pattukkottai,
Thanjavur District.
3. The Inspector of Police,
Town Police Station,
Pattukkottai, Thanjavur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

NBJ

PSM/SV-MMS/SAR3/17.04.2017/2P/5C

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