



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.08.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

CRL.O.P.(MD)No.9513 of 2017

Thirunavukkarasu : Petitioner

-Vs-

1.The Director General of Police,
Mylapore,
Chennai - 600 004.

2.The Superintendent of Police,
Karur.

3.The Inspector of Police,
Thennilai Police Station,
Karur District.

4.The Inspector General of Police,
Idol Wing CID,
SIPCO, Old Corporate Building,
Thiru.Vi.Ka. Industrial Estate,
Guindy, Chennai.

: Respondents

[Respondent 4 impleaded as per order of this Hon'ble Court made in Crl.M.P.(MD)No.7423 of 2017 in Crl.O.P.(MD) No.9513, dated 17.08.2017]

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, praying to direct the respondents to withdraw the investigation of the case in Cr.No.26 of 2017 from the file of the third respondent and to hand over the investigation to some other agencies particularly CBCID police.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.K.Anbarasan

Government Advocate (Crl. side)

O R D E R

The petitioner has filed this petition for transfer of investigation of the case in Cr.No.26 of 2017 from the file of the third respondent and to hand over the investigation to some other



agencies particularly CBCID police.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Criminal side) appearing for the respondents.

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3. In the course of hearing, the petitioner was directed to implead the Inspector General of Police, Idol Wing CID, Chennai, the fourth respondent, so that the complaint which is relating to theft of idol can be directed to be investigated under the supervision of the fourth respondent. The petitioner in this case states that on 05.03.2017, the poojari of the temple known as Rajalingamoorthy Kovil, situated in Kodanthur, Aravarakurichi Taluk, Karur District, found the idol of Lord Muruga missing. He reported the missing of idol to the Maniam of the temple and then lodged a complaint with the third respondent police. Thereafter, a case was also registered in Crime No.26 of 2017 for the offences punishable under Sections 453(2) and Section 382 of I.P.C. Though the case was registered on 05.03.2017, the petitioner states that there was no progress. The petitioner submits that there was no evidence of any violence or trances of any damages for stealing the idol of Lord Muruga. Further, it is submitted by the learned counsel appearing for the petitioner that the value of the idol is about Rs.70 Crores. The petitioner also suspects the involvement of temple poojaris in the crime. Except conducting a preliminary enquiry, it is stated by the learned counsel appearing for the petitioner that there was absolutely no investigation thereafter. In the said circumstances, the above Criminal Original Petition is filed for transfer of investigation of the case in Cr.No.26 of 2017 from the file of the third respondent and to hand over the investigation to some other agencies particularly CBCID police.

4. The learned Government Advocate (Criminal Side) appearing for the respondents, on instructions, submitted that he has no objection for transfer of investigation to any other agency under the supervision of the fourth respondent.

5. Considering the fact that the case has to be given some special attention, this Criminal Original Petition is allowed and the case in Crime No.26 of 2017 which is pending on the file of the third respondent is directed to be transferred for further investigation to the fourth respondent who in turn shall entrust the investigation either to an individual or to a team of officers of his choice under his supervision. The Officer or the team of Officers who are entrusted by the fourth respondent shall investigate the case in Crime No.26 of 2017 and shall file a report within a period of three months from the date of receipt of <https://hservices.pcyts.gov.in/hservices/> order to the fourth respondent. Depends upon the report that may be submitted to the fourth respondent, it is open to the fourth respondent to take appropriate action or direct



further investigation if required.

/True copy/

Sd/-
Assistant Registrar

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Sub Assistant Registrar

To

- 1.The Director General of Police,
Mylapore,
Chennai - 600 004.
- 2.The Superintendent of Police,
Karur.
- 3.The Inspector of Police,
Thennilai Police Station,
Karur District.
- 4.The Inspector General of Police,
Idol Wing CID,
SIPCO, Old Corporate Building,
Thiru.Vi.Ka. Industrial Estate,
Guindy, Chennai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.S.Doraisamy, Advocate, SR.74722

CRL.O.P. (MD) No.9513 of 2017
24.08.2017

SRM
KK/SKN RSK/SAR 3/06.09.2017/ 3P-7C