



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2018

CORAM:

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THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P. (MD)No.2035 of 2018

D.Xavier

... Petitioner

-vs-

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

2. The Sub Inspector of Police,
Karaiyur Police Station,
Karaiyur,
Ponnamaravathy,
Pudukkottai District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the second respondent to register the case on the basis of the petitioner's complaint dated 14.09.2017.

For Petitioner : Mr.A.Prasanna Rajadurai
for S.Muthalraj

For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed by the petitioner, to direct the second respondent to register a case, based on the complaint given by the petitioner, dated 14.09.2017.

2.The learned counsel appearing for the petitioner has submitted that on 13.09.2017, the building materials have been stored in the school premises of Idhaya Matriculation Higher Secondary School, at Karaiyur, Ponnamaravathy, worth about Rs.2,50,000/-. On the next day morning it was found that those materials have been stolen and hence the petitioner has lodged a complaint on 14.09.2017. Subsequently, on 29.01.2017, the petitioner has sent another representation to the first respondent. He further submitted that the petitioner also submitted the CCTV footages, which were installed in the nearest bank and petrol bunk. Even thereafter the respondents have not taken any steps to recover the aforesaid materials.



3.The learned Government Advocate (Crl.Side) has submitted that the petitioner has sent a complaint to the first respondent by RPAD on 29.01.2018 and the same has been forwarded to the second respondent on 05.02.2018 and the same is pending for enquiry.

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4.The petitioner has sent a complaint only on 29.01.2018 to the first respondent by post and the same has been forwarded to the second respondent on 05.02.2018. The complaint is with regard to theft of building materials, in such kind of offences, the Police has to register the case immediately and should take steps to recover the stolen goods. Otherwise the said materials could have been used for constructing building and thereafter it is difficult to recover the materials and therefore the second respondent is directed to verify the CCTV footages, which were produced by the petitioner and enquire the matter and if the enquiry reveals any cognizable offence, then he has to register a case and proceed further in accordance with law within a week.

5.With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (W)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Pudukkottai,
Pudukkottai District.
2. The Sub Inspector of Police,
Karaiyur Police Station,
Karaiyur,
Ponnamaravathy,
Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.NA.PALANIYANDI, ADVOCATE IN SR No. 47541

SSS

TE/CVC/SAR-3 : 08/03/2018 : 2P/5C

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