



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Cr1.O.P. (MD) .No.14929 of 2018

WEB COPY

G.Nagarajan

...Petitioner

Vs.

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

2. The Inspector of Police,
Ambasamudram Police Station,
Tirunelveli District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation in Crime No.145 of 2018 dated 26.03.2018 pending on the file of the second respondent to any other competent authorities and to complete the investigation within the stipulated period.

For Petitioner :Mr.G.Karnan

For Respondents :Mr.M.Chandra Sekaran

Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking for transfer of investigation in Crime No.145 of 2018, dated 26.03.2018, pending on the file of the second respondent.

2. The learned counsel appearing for the petitioner would submit that the petitioner and one viz., Senthil Kumar, met with an accident on 02.12.2016, in which the petitioner sustained grievous injuries and the said Senthil Kumar died on the spot. The car continued to remain in possession of the wife of the said Senthil Kumar. Thereafter, the petitioner requested the car to be returned back. However, the car was not returned and the car was continued to be used by the brother-in-law of the deceased Senthil Kumar.

3. The learned Additional Public Prosecutor would submit that a complaint was given before the respondent Police and the same was registered in Crime No.145 of 2018 for the offences under Section 420 I.P.C.

4. The grievance of the petitioner is that the investigation has not been conducted properly and the car has not been recovered from the brother-in-law of Senthil Kumar. Further



grievance of the petitioner is that the brother-in-law of Senthil Kumar viz., Jeyakumar, has also been arrayed as an accused in this case.

5. The learned Additional Public Prosecutor would further submit that the investigation is going on and the respondent Police in the course of investigation will seize the car from Jeyakumar, who has been arrayed as Accused No.2. On such seizure made by the Police, the petitioner is at liberty to move the Court below by filing an appropriate Petition for return of property.

6. The submission made by the learned Additional Public Prosecutor is recorded and the petitioner is at liberty to move the appropriate Court for return of property immediately after the car is seized and produced before the Court. The second respondent Police is directed to complete the process within a period of 15 days from the date of receipt of copy of this order.

7. This Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Inspector of Police,
Ambasamudram Police Station, Tirunelveli District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.G.Karnan, Advocate Sr.No.79982

TSG

VB/RP/SAR1/04.09.2018/2P/5C

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