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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1 OP(MD)Nos.3232 to 3246 of 2013
and
Cr1 OP(MD)Nos.12004 to 12014 of 2013
&
Cr1 MP(MD)Nos.6786 to 6796 of 2013
in
Cr1 OP(MD)Nos.3232 to 3246 of 2013
&
MP(MD)Nos.1,1,1,1,1,1,1,1,1,1 of 2013
in
Cr1 OP(MD)Nos.12004 to 12014 of 2013

MANI @ RAJAMANI Petitioner / Accused No.1
in CRL OP(MD).NOS.
3232,3233,3238,3239,3241,3242,3244,3245 of 2013

MANI @ RAJAMANI Petitioner / Accused No.4
in CRL OP(MD).Nos.3234,3236,3237,3240 of 2013

MANI @ RAJAMANI Petitioner / Accused No.NOT KNOWN
in CRL OP(MD).Nos.3235,3243,3246 of 2013

S.RAJAMANI ... Petitioner / Accused No.4 in
CRL OP(MD).Nos.12004,12005,12006,12008,12010 of 2013

...Petitioner / Accused No.1 in
CRL OP(MD).Nos.12007,12009,12011,12012,12013 and 12014/2013
-VS-

THE STATE REP. BY,

THE DIRECTOR GENRAL OF POLICE,
CHENNAI.

THE INSPECTOR OF POLICE,
CBCID, MADURAI.

<https://hcservices.ecourts.gov.in/hcservices/>

....RESPONDENTS 1 & 2
IN CRL OP(MD).Nos.3232 to 3246/2013



THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR.

...3rd RESPONDENT / COMPLAINANT
(CR.NO.1992 OF 2010) IN CRL OP(MD).NO.3232 OF 2013
(CR.NO.225 OF 2011) IN CRL OP(MD).NO.3233 OF 2013
(CR.NO.1253 OF 2011) IN CRL OP(MD).NO.3244 OF 2013

THE INSPECTOR OF POLICE,
PASUPATHIPALAYAM POLICE STATION,
KARUR.

...3rd RESPONDENT / COMPLAINANT
(CR.NO.206 OF 2011) IN CRL OP(MD).NO.3234 OF 2013
(CR.NO.201 OF 2011) IN CRL OP(MD).NO.3236 OF 2013
(CR.NO.207 OF 2011) IN CRL OP(MD).NO.3237 OF 2013
(CR.NO.519 OF 2011) IN CRL OP(MD).NO.3240 OF 2013

THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION,
THANJAVUR DISTRICT.

..3rd RESPONDENT / COMPLAINANT
(CR.NO.274 OF 2011) IN CRL OP(MD).3235 OF 2013

THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION.

PUDUKKOTTAI ...3rd RESPONDENT / COMPLAINANT
(CR.NO.375 OF 2011) IN CRL OP(MD).3238 OF 2013
(CR.NO.376 OF 2011) IN CRL OP(MD).3239 OF 2013
(CR.NO.476 OF 2011) IN CRL OP(MD).3241 OF 2013

THE INSPECTOR OF POLICE,
PUDUKKOTTAI TOWN POLICE STATION,
PUDUKKOTTAI

...3rd RESPONDENT / COMPLAINANT
(CR.NO.432 OF 2011) IN CRL OP(MD).NO.3242 OF 2013

THE INSPECTOR OF POLICE,
CANTONMENT POLICE STATION,
TRICHY.

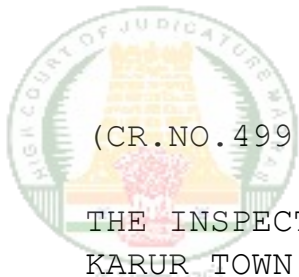
...3rd RESPONDENT / COMPLAINANT
(CR.NO.1778 OF 2011) IN CRL OP(MD).NO.3243 OF 2013

THE INSPECTOR OF POLICE,
KARUR POLICE STATION,
KARUR.

... 3RD RESPONDENT / COMPLAINANT
(CR.NO.1255 OF 2011) IN CRL OP(MD).NO.3245 OF 2013

THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
MADURAI.

..3RD RESPONDENT / COMPLAINANT



(CR.NO.499 OF 2011)

IN CRL OP(MD).NO.3246 OF 2013

THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION,
KARUR.

... (1ST RESPONDENT / COMPLAINANT IN
CRL OP(MD).NOS.12004,12007,12009 & 12014/2013
(CR.NOS.1992/2010,1255, 255 AND 432/2011)

THE INSPECTOR OF POLICE,
PASUPATHIPALAYAM POLICE STATION,
KARUR.

...1ST RESPONDENT IN CRL OP(MD).
NOS.12005,12006,12008 & 12010 OF 2013
(CR.NOS.201,206,207,519/2011)

THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION,
PUDUKKOTTAI

...1ST RESPONDENT IN
CRL OP(MD).NOS.12011 TO 12013 OF 2013
(CR.NOS.375,376 & 476 OF 2011)

DHANASEELAN

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12004/2013

P.S.KATHIRESAN

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12005/2013

BASKARAN

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12006/2013

MURUGANANTHAM

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12007/2013

SURESH KUMAR

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12008/2013

PANNEERSELVAM

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12009/2013

PERUMAL

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12010/2013

SANGILIMUTHU KARUPPIAH

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12011/2013

THIRAVIAM

...2ND RESPONDENT / DE FACTO COMPLAINANT IN



CRL OP(MD).NO.12012/2013

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12013/2013

...2ND RESPONDENT / DE FACTO COMPLAINANT IN
CRL OP(MD).NO.12014/2013

Prayer in CRL OP(MD). 3232/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to re-investigate by way of changing the investigation Agency in C.C.No.101 of 2012 on the file of learned JM No.I, Karur in Cr.No.1992 of 2010 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD). 3233/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in C.C.No.83 of 2012 on the file of learned JM No.I, Karur in Cr.No.255 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD). 3234/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in C.C.No.176 of 2012 on the file of learned JM No.I, Karur in Cr.No.206 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD). 3235/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in CC.No.12/2012 on the file of Judicial Magistrate, Kumbakonam (amended as per order dt.04.01.2018 by RPAJ)

Prayer in CRL OP(MD). 3236/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in C.C.No.177 of 2012 on the file



of JM No.I, Karur in Cr.No.201 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD) . 3237/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in C.C.No.175 of 2012 on the file of learned JM No.I, Karur in Cr.No.207 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD) . 3238/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in C.C.No.83 of 2012 on the file of learned JM No.I, Pudukkottai in Cr.No.375 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD) . 3239/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in C.C.No.82 of 2012 on the file of learned JM No.I, Pudukkottai in Cr.No.376 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD) . 3240/ 2013 :

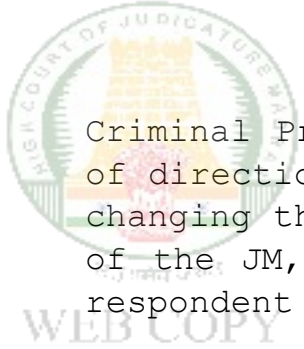
Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in C.C.No.178 of 2012 on the file of learned JM No.I, Karur in Cr.No.519 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD) . 3241/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in C.C.No.84 of 2012 on the file of learned JM, Pudukkottai in Cr.No.476 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD) . 3242/ 2013 :

Criminal Original Petition is filed under section 482 of



Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in Crime No.99 of 2012 on the file of the JM, Pudukkottai in Cr. No. 432/2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD) . 3243/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in Crime No.1778 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD) . 3244/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in (*) CC.No.19/2013 on the file of the (*) Judicial Magistrate NO.I, Karur (*) Amended as per order dt.04.01.2018 by RPAJ).

Prayer in CRL OP(MD) . 3245/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in C.C. No. 49/2012 on the file of the JM No. 1, Karur in Crime No.1255 of 2011 on the file of the 3rd respondent to the 2nd respondent.

Prayer in CRL OP(MD) . 3246/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to pass an order of direction directing the 1st respondent to reinvestigate by way of changing the investigation Agency in (*) CC.No.251/2015 on the file of the (*) Judicial Magistrate No.VI, Madurai. (*) Amended as per order dt.04.01.2018 by RPAJ)

Prayer in CRL OP(MD) . 12004/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.10957/2011 in C.C.No.101/2012 on the file of the learned Judicial Magistrate No.I Karur in Cr.No.1992/2010 on the file of the 1st respondent dated 06.01.2012.

**Prayer in CRL OP(MD) . 12005/ 2013 :**

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.57/2012 in C.C.No.177/2012 on the file of the learned Judicial Magistrate No.I Karur in Cr.No.201/2011 on the file of the 1st respondent dated 06.01.2012.

Prayer in CRL OP(MD) . 12006/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.14/2012 in C.C.No.176/2012 on the file of the learned Judicial Magistrate No.I Karur in Cr.No.206/2011 on the file of the 1st respondent dated 06.01.2012.

Prayer in CRL OP(MD) . 12007/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.10959/2011 in C.C.No.49/2012 on the file of the learned Judicial Magistrate No.I Karur in Cr.No.1255/2011 on the file of the 1st respondent dated 06.01.2012.

Prayer in CRL OP(MD) . 12008/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.58/2012 in C.C.No.175/2012 on the file of the learned Judicial Magistrate No.I Karur in Cr.No.207/2011 on the file of the 1st respondent dated 09.01.2012.

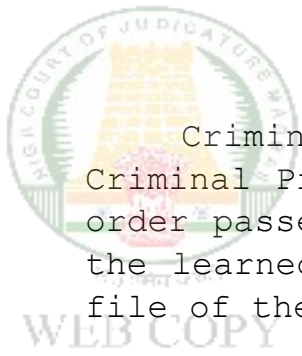
Prayer in CRL OP(MD) . 12009/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.77/2012 in C.C.No.83/2012 on the file of the learned Judicial Magistrate No.I Karur in Cr.No.255/2011 on the file of the 1st respondent dated 09.01.2012.

Prayer in CRL OP(MD) . 12010/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.101/2012 in C.C.No.178/2012 on the file of the learned Judicial Magistrate No.I Karur in Cr.No.519/2011 on the file of the 1st respondent dated 9.1.2012.

Prayer in CRL OP(MD) . 12011/ 2013 :



Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.668/2012 in C.C.No.83/2012 on the file of the learned Judicial Magistrate Pudukottai in Cr.No.375/2011 on the file of the 1st respondent dated 31.1.2012.

Prayer in CRL OP(MD) . 12012/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.671 of 2012 in C.C.No.82 of 2012 on the file of Learned Judicial Magistrate, Pudukottai in Crime No. 376 of 2011 on the file of the 1st respondent dated 31.1.2012.

Prayer in CRL OP(MD) . 12013/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.670 of 2012 in C.C.No.84 of 2012 on the file of Learned Judicial Magistrate, Pudukottai in Crime No. 476 of 2011 on the file of the 1st respondent dated 31.1.2012.

Prayer in CRL OP(MD) . 12014/ 2013 :

Criminal Original Petition is filed under section 482 of Criminal Procedure Code praying this Hon'ble Court to set aside the order passed in Cr.M.P.NO.1143 of 2012 in C.C.No.99 of 2012 on the file of Learned Judicial Magistrate, Pudukottai in Crime No. 432 of 2011 on the file of the 1st respondent dated 16.2.2012.

CRL OP(MD) .Nos.3232/2013 to 3246/2013 :

For Petitioner	:	Mr.C.VAKEESWARAN
For Respondent	:	Mr.ROBINSON, GOVERNMENT ADVOCATE IN CRL OP(MD) .NO.3232/2013 TO CRL OP(MD) .NO.3246/2013

AND

CRL OP(MD) .Nos.12004/2013 to 12014/2013:

For Petitioner	:	MR.M.VAKEESWARAN
For Respondent	:	MR.ROBINSON FOR R1 (IN CRL OP(MD) .NOS.12004 TO 12014/2013 MR.S.GOKULRAJ FOR R2 IN (IN CRL OP(MD) .NO.12004/2013) MR.A.THIRUVADIKUMAR FOR R2 IN



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(IN CRL OP (MD) .NO.12005/2013)

NA FOR R2

(IN CRL OP (MD) .NO.12006/2013)

MR.S.GOKULARAJ

(IN CRL OP (MD) .NO.12007/2013)

MR.R.PON KARTHIKEYAN FOR R2

(IN CRL OP (MD) .NO.12008/2013)

MR.V.SITHARANJAS DAS FOR R2

(IN CRL OP (MD) .NO.12009/2013)

MR.M.SURESH FOR R2

(IN CRL OP (MD) .NO.12010/2013)

MR.D.RAMESH KUMAR FOR R2

(IN CRL OP (MD) .NO.12011/2013)

M/S.PORKODI KARNAN FOR

M/S.POLAX LEGAL SOLUTIONS FOR R2

(IN CRL OP (MD) .NO.12012/2013)

MR.D.RAMESH KUMAR FOR R2

(IN CRL OP (MD) .NO.12013/2013)

MR.B.S.MELTINE FOR R2

(IN CRL OP (MD) .NO.12014/2013)

COMMON ORDER

The petitioner is one Mani @ Rajamani. He claims to be a dealer in used cars. He is carrying on business in the name and style of S.R.S Tours and Travels. The place of business is at Punalai, Samayapuram, Trichy. The case of the petitioner is that on 17.12.2011, the police personnel headed by Mr.Mukesh Kumar, the then Inspector of Police, Karur Town Police Station came to his premises and seized 14 cars. The petitioner was implicated as an accused in a number of criminal cases were registered following theft of vehicles. The seized vehicles were produced before the concerned jurisdictional magistrates. On applications being filed by the concerned defacto complainants, the vehicles were also handed over to them. The investigating officers had also filed final reports in 15 cases. The case details are as under :

Sl. No.	Crl.O.P.No.	Crime No.	C.C.No.	Offences
1.	3232 of 2013	1992 of 2010 (On the file of Karur Town Police Station, Karur	101 of 2012 (On the file of the Learned Judicial Magistrate No.I, Karur)	379 of IPC



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2.	3233 of 2013	255 of 2011 (On the file of the Karur Town Police Station, Karur)	83 of 2012 (On the file of the Learned Judicial Magistrate No.I, Karur)	379 of IPC
3.	3234 of 2013 Crl.M.P. (MD) No.25 of 2018 (Amendment Petition after C.C.)	274 of 2011 (On the file of the Kumbakonam West Police Station, Thanjavur District)	12 of 2012 (On the file of the Learned Judicial Magistrate Court, Kumbakonam)	379 of IPC
4.	3235 of 2013	201 of 2011 (On the file of the Pasupathipalaya m Police Station, Karur)	177 of 2012 (On the file of the Learned Judicial Magistrate No.I, Karur)	379 of IPC
5.	3236 of 2013	206 of 2011 (On the file of the Pasupathipalaya m Police Station, Karur)	176 of 2012 (On the file of the Learned Judicial Magistrate No.I, Karur)	379 of IPC
6.	3237 of 2013	207 of 2011 (On the file of the Pasupathipalaya m Police Station, Karur)	175 of 2012 (On the file of the Learned Judicial Magistrate No.I, Karur)	379 of IPC
7.	3238 of 2013	375 of 2011 (On the file of the Ganesh Nagar Police Station, Pudukottai)	83 of 2012 (On the file of the Learned Judicial Magistrate, Pudukottai)	379 of IPC r/w 34 of IPC
8.	3239 of 2013	376 of 2011 (On the file of the Ganesh Nagar Police Station, Pudukottai)	82 of 2012 (On the file of the Learned Judicial Magistrate, Pudukottai)	379 of IPC r/w 34 of IPC



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9.	3240 of 2013	519 of 2011 (On the file of the Pasupathipalaya m Police Station, Karur)	178 of 2012 (On the file of the Learned Judicial Magistrate No.I, Karur)	379 of IPC
10.	3241 of 2013	476 of 2011 (On the file of the Ganesh Nagar Police Station, Pudukkottai)	84 of 2012 (On the file of the Learned Judicial Magistrate, Pudukkottai)	379 of IPC r/w 34 of IPC
11.	3242 of 2013	432 of 2011 (On the file of the Pudukkottai Town Police Station, Pudukkottai)	99 of 2012 (On the file of the Learned Judicial Magistrate, Pudukkottai)	379 of IPC, 109, 201, r/w 34 of IPC
12.	3243 of 2013	1778 of 2011 (On the file of the Cantonment Police Station, Trichy)	Nil	379 of IPC
13.	3244 of 2013 Crl.M.P. (MD) No.26 of 2018 (Amendment Petition after C.C.)	1253 of 2011 (On the file of the Karur Town Police Station, Karur)	19 of 2013 (On the file of the Learned Judicial Magistrate No.I, Karur)	379 of IPC, r/w 120 (b), 201 of IPC
14.	3245 of 2013	1255 of 2011 (On the file of the Karur Town Police Station, Karur)	49 of 2012 (On the file of the Learned Judicial Magistrate No.I, Karur)	379 of IPC



15.	3246 of 2013 Crl.M.P. (MD) No.27 of 2018 (Amendment Petition after C.C.)	499 of 2011 (On the file of the Karuppayurani Police Station, Madurai)	251 of 2015 (On the file of the Judicial Magistrate No.VI, Madurai)	379 of IPC
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2.The petitioner filed Crl OP(MD)Nos.3232 to 3246 of 2013 seeking further investigation in the matter, even though the final reports have been taken on file and C.C numbers have been assigned by the concerned jurisdictional magistrates. The learned counsel for the petitioner also wants a new investigating agency to be entrusted with the task of further investigation.

3.The prayer made by the petitioner is opposed by the learned Government Advocate (Crl.side) on more grounds than one. He would also point out that the petitioner is an accused in as many as 16 cases and that therefore he has no locus standi to maintain these O.Ps. He also pointed out that in all these cases, the jurisdictional magistrates have already taken cognizance of the matter and that therefore directing further investigation in these cases at this point of time would rather be extraordinary.

4.This Court also heard the learned counsel appearing for some of the defacto complainants. These Criminal Original Petitions have been pending before this Court since 2013. By order dated 21.08.2017, this Court directed the prosecution to report whether the preliminary investigation was done with reference to the vehicle by checking the security system available in the car through the dealer. Though the order pertained only to Innova cars, it is admitted that this order was not complied with till date.

5.The learned counsel for the petitioner asserted that the cars that were taken from him were not the subject matter of any of the F.I.Rs registered on the file of the respective police stations. In order to test the veracity of the said submission, this Court directed the production of the car that was the subject matter of Crime No.1992 of 2010 registered on the file of the Karur Town Police Station. The said car is presently in the custody of one Dhanaseelan to whom it was handed over by the Jurisdictional Magistrate. Pursuant to the order passed by this Court, the said car was produced before the premises of this Court on

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No 1992 0

8. Be that as it may, since this single instance has substantiated the allegations made by the petitioner in these Criminal Original Petitions, I am of the view that the inherent power of this Court under Section 482 of Cr.PC deserves to be exercised in all these cases. The Court below appeared to have mechanically accepted the final reports filed by the respective Investigating Officers. Therefore, the final reports taken cognizance by the concerned Judicial Magistrates in the respective CC Numbers in Cr1 OP(MD)Nos.3232, 3233, 3235 to 3242 and 3245 of 2013 are set aside. Consequently, the orders taking cognizance also stand set aside.

9. This Court is of the view that the CB CID will have to be entrusted with the task of further investigation. Therefore, the Inspector General of Police, CB CID, Chennai is directed to



nominate the investigating officers for these cases and file final reports within a period of three months from the date of receipt of a copy of this order.

10.As regards remaining Crl OP(MD)Nos.3234, 3243, 3444 and 3246 of 2013, it is fairly submitted by the learned counsel for the petitioner that the cars that were handed over to the defacto complainants were the cars that were actually lost by them. However, his contention is that those cars were not actually recovered from the petitioner. But, I am of the view that this is not a ground for directing further investigation when the cases had already been taken on file by the concerned Judicial Magistrates. It is further directed that further investigation shall be conducted totally uninfluenced by any of the observations made in these petitions. It is also made clear that the defacto complainants, who were handed over the vehicles, will not be harassed or made accused for any reason whatsoever.

11.Since the cars handed over to the respective defacto complainants do not actually belong to them, the orders passed by the Courts below handing over custody stand set aside. This Court directs the 11 vehicles to be handed over to the concerned Courts. Since it is not in dispute that 11 vehicles were not recovered from the petitioner, the petitioner is entitled to take them back. The petitioner should not alienate them. The court below shall take photographs and also prepare a Panch Nama.

12.In the result, Crl OP(MD)Nos.3234, 3243, 3444 and 3246 of 2013 stand dismissed. Crl OP(MD)Nos.3232, 3233, 3235 to 3242 and 3245 of 2013 stand allowed and Crl OP(MD)Nos.12004 to 12014 of 2013 also stand allowed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

- 1.THE JUDICIAL MAGISTRATE, NO.I, KARUR.
- 2.THE JUDICIAL MAGISTRATE, NO.I, PUDUKKOTTAI.
- 3.THE JUDICIAL MAGISTRATE, KUMBAKONAM.
- 4.THE JUDICIAL MAGISTRATE, NO.VI, MADURAI.



5.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KARUR DISTRICT.

6.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
PUDUKKOTTAI DISTRICT.

7.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT AT KUMBAKONAM.

8.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
MADURAI DISTRICT.

9.THE DIRECTOR GENERAL OF POLICE,
CHENNAI.

10.THE INSPECTOR OF POLICE,
CBCID, MADURAI.

11.THE INSPECTOR OF POLICE,
KARUR TOWN POLICE STATION, KARUR.

12.THE INSPECTOR OF POLICE,
PASUPATHIPALAYAM POLICE STATION, KARUR.

13.THE INSPECTOR OF POLICE,
KUMBAKONAM WEST POLICE STATION, THANJAVUR DISTRICT.

14.THE INSPECTOR OF POLICE,
GANESH NAGAR POLICE STATION, PUDUKKOTTAI.

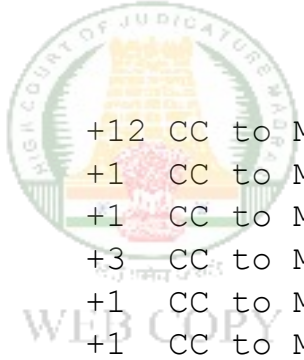
15.THE INSPECTOR OF POLICE,
PUDUKKOTTAI TOWN POLICE STATIN, PUDUKKOTTAI.

16.THE INSPECTOR OF POLICE,
CANTONMENT POLICE STATION, TRICHY.

17.THE INSPECTOR OF POLICE,
KARUR POLICE STATION, KARUR.

18.THE INSPECTOR OF POLICE,
KARUPPAYURANI POLICE STATION, MADURAI

19.THE ADDITIONAL PUBLIC PROSECUTOR,
MADRAS HIGH COURT, MADURAI.



+12 CC to Mr.C.VAKEESWARAN, Advocate in SR.No.69739,69738
+1 CC to Mr.M.SURESH, Advocate in SR.No.69665
+1 CC to Mr.V.SITHARANJANADAS, Advocate in SR.No.69705
+3 CC to Mr.D.RAMESH KUMAR, Advocate in SR.No.69904 TO 69906
+1 CC to Mr.R.PON KARTHIKEYAN, Advocate in SR.No.69849
+1 CC to Mr.S.GOKULRAJ, Advocate in SR.No.69737

SKM

RJ/PN/SAR-1/13/07/2018 16P/40C

Copy to:-

The Inspector of Police,
CBCID, Chennai.

Crl OP(MD)Nos.3232 to 3246 of 2013
and
Crl OP(MD)Nos.12004 to 12014 of 2013
25.06.2018