

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 10.04.2019
CORAM:
THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.8748 of 2019

V.Karunanithi

... Petitioner

Vs

1.The Deputy Commissioner of Police,
Washermenpet Range,
Chennai - 81.

2.The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai - 21.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to withdraw the case in Crime No.83 of 2019 on the file of the second respondent and transfer the same to the first respondent who in turn depute an Officer not below the rank of the Inspector of Police to investigate the case and file a final report.

For Petitioner : Mr.K.Thenrajan

For Respondents: Mr.M.Mohamed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed to withdraw the case in Crime No.83 of 2019 on the file of the second respondent and transfer the same to the first respondent who in turn depute an Officer not below the rank of the Inspector of Police to investigate the case and file a final report.

2.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondents.

3.The petitioner had purchased a two wheeler from the proposed accused one Veerakumar, the said vehicle is TVS Motor Company Ltd/TVS Jupiter Classic No. MD626GH43HIKXXXXX in bearing Registration No. TN03 Y 8682. On 17.08.2018 at about 02.00 A.M the petitioner had parked the vehicle in front of the

petitioner's home and went to sleep and on the next day morning the petitioner was shocked and surprised the vehicle was missing. On 23.08.2018 the petitioner had given a complaint before the second respondent who in turn issued a CSR No.493 of 2018 and without conducting any enquiry and kept the petitioner's complaint in dark. On 04.12.2018 the petitioner sent representation to the first respondent under Section 154(3) of Cr.P.C. The petitioner filed a direction petition under Section 156(3) of Cr.P.C., before the XV Metropolitan Magistrate Court at Chennai and the same was ordered on 10.01.2019 based on the direction the second respondent registered a case in Crime No.83 of 2019 for the offences under Section 379 of IPC. Hence, the petitioner filed this Criminal Original Petition.

4.Considering the facts and circumstances, the petitioner is directed to appear before the second respondent police for enquiry. The learned counsel for the petitioner submitted that the petitioner is ready and willing to pay the balance amount. Accordingly, the second respondent is directed to conduct enquiry with the counter party and after receipt of the balance amount from the petitioner on the vehicle loan, the second respondent is directed to release the vehicle along with the original documents from the counter party to the petitioner.

5.With the above directions, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

rna

To

1.The Deputy Commissioner of Police,
Washermenpet Range,
Chennai - 81.

2.The Inspector of Police,
H-6, R.K.Nagar Police Station,
Chennai - 21.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.K.Thenrajan, Advocate sr.35260

CrI.O.P.No.8748 of 2019

cp(co)
nr 10/05/2019



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