

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.03.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.8128 of 2019

N.Ramesh

... Petitioner

-vs-

1. The Superintendent of Police,
Thiruvannamalai District.

2. The State of Tamil Nadu,
Represented by the
Inspector of Police,
Thiruvannamalai Taluk Police Station,
Thiruvannamalai District,
[Crime No.204 of 2019]

... Respondents

Prayer:- Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent police to recover the car " Maruthi Swift Dezire" white Colour Car bearing Registration No.TN-85-D-5727 based on the petitioner's complaint pending in Crime No.204 of 2019 pending on the file of the Inspector of Police, Thiruvannamalai Taluk Police Station, Thiruvannamalai District.

For Petitioner : M/s S.Silambu Selvan

For Respondents : Mr.C.Raghavan
Government Advocate [Crl. Side]

ORDER

The Criminal Original Petition is filed to direct the 2nd respondent police to recover the car " Maruthi Swift Dezire" white Colour Car bearing Registration No.TN-85-D-5727 based on the petitioner's complaint pending in Crime No.204 of 2019 on the file of Inspector of Police, Thiruvannamalai Taluk Police Station, Thiruvannamalai District.

2. Heard both side and perused all the materials available on record.

3. The case of the prosecution is that the petitioner owned a "Maruthi Swift Dezire" white colour car bearing Registration No.TN-85-D-5727 and he had handed over his car to one Elumalai for running call taxi. On 12.03.2019 at about 11.00am while the said Elumalai was proceeding from Maruthuvaambaadi Village to Devanaambattu Village and the accused persons Sundar and Thangaraj had waylaid the petitioner's car it was driven by the said Elumalai and taken away the key and driven away car. On the same day, the petitioner had given a complaint to the 2nd respondent police. On 16.03.2019, the petitioner had given a complaint before the 1st respondent police and the same was forwarded to the 2nd respondent and FIR was filed in Crime No.204 of 2019 for the offence under section 392 IPC. Thereafter, the 2nd respondent police has not taken any appropriate action, hence the criminal original petition filed by the petitioner before this Court.

4. It is seen that the petitioner lodged a complaint before the 2nd respondent police against the said accused persons. Subsequently, the 2nd respondent police has registered a case in Crime No.204 of 2019 for the offence under section 392 of IPC against the said persons. Thereafter, the accused persons were also called for an enquiry. Even then, the 2nd respondent police did not take any action on the complaint lodged by the petitioner.

5. Considering the facts and circumstances of the case, the second respondent police is directed to complete the enquiry with the accused persons and take appropriate action in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

6. With the above direction, the Criminal Original Petition is disposed of.

सत्यमेव जयते

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msm

To

1. The Superintendent of Police,
Thiruvannamalai District.
2. The Inspector of Police,
Thiruvannamalai Taluk Police Station,
Thiruvannamalai District, [Crime No.204 of 2019]
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.

+lcc to Mr.S.Silambu Selvan, Advocate Sr.28867

CRL.O.P.No.8128 of 2019

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srg 3/5/2019



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