



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.03.2019

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CORAM:

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

Cr1.O.P. (MD) .No.2720 of 2019

Sajeed ... Petitioner / De facto complainant

Vs

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.2.The Inspector of Police,
Moondradaippu Police Station, Tirunelveli District.3.The Inspector of Police,
C.B.C.I.D wing, Tirunelveli District. ...Respondents

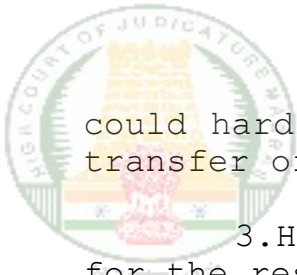
PRAYER: This Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to transfer the investigation in Crime No.114 of 2018, from the file of the second respondent to the third respondent for proceeding the same and further direct the third respondent to cause an effective investigation on the said case and to file the final report within the time stipulated as fixed by this Court.

For Petitioner : Mr.R.Anand

For Respondents : Mr.V.Neelakandan
Additional Public Prosecutor**O R D E R**

The present petition is filed seeking transfer of investigation of Crime No.144 of 2018, registered for the offences under Section 392 I.P.C.

2.The facts of the case is that the container of a lorry had carried 14,53,555 Kilograms of cashew nuts, loaded vide bill of lading No.MSCUTE 243807, dated 08.08.2018, reached the Tuticorin Port on 16.09.2018, from some African countries and some 16,704 Kilograms cashew nuts were taken out in a lorry driven by one Kombaiah s/o Poolpandi. The case was that while the lorry driver was taking rest at 11.30 a.m., closed to noon, while the lorry was parked at the port, the containerment of raw cashew nuts was alone found missing. The learned counsel appearing for the petitioner submitted that the case has not been investigated in order and that the petitioner



could hardly sustain his confidence and he, therefore, requests the transfer of investigation.

3. Heard the learned Government Advocate (Crl. side) appearing for the respondents.

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4. The presentation of facts as stated in the First Information Report itself leaves few loose ends for the Investigating Agency to make some head away. It appears not to have been undertaken, if only the Court were to act on the submissions of the prosecution. This Court, therefore, transfers the investigation to the District Crime Branch, Tirunelveli District, to whom, the present investigating agency shall handover the entire file, within a period of fifteen days from the date of receipt of a copy of this order and investigate the matter to its logical end and lay his final report within a period of six months thereafter.

5. In view of the above, the Criminal Original Petition stands allowed.

SD

ASSISTANT REGISTRAR (P AND A)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS)

tsg

To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.
2. The Inspector of Police,
Moondradaippu Police Station, Tirunelveli District.
3. The Inspector of Police,
C.B.C.I.D wing, Tirunelveli District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

1CC TO MR. R. ANAND, ADVOCATE SR 55151

KK

9.4.2019

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