



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE: 17.06.2019

CORAM

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Cr1.O.P. (MD) .No.8303 of 2019

Jesuraj

... Petitioner

-Vs-

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.

2. The Inspector of Police,
Ammayanaickanur Police Station,
Ammayanaickanur,
Dindigul District.

3. The Inspector of Police,
C.B.C.I.D.,
No.62, Krishnarao Street,
Pandiayan Nagar,
Dindigul.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the first respondent to withdraw the case in Crime No.115 of 2018, dated 05.04.2018 on the file of the second respondent and entrust the same to the third respondent for investigation of the case by a competent officer and file a final report before the concerned Judicial Magistrate within the time stipulated by this Court.

For Petitioner : Mr.S.K.Karthick Subramanian
For Respondents : Mr.K.K.Ramakrishnan
Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking to transfer the case in Crime No.115 of 2018, dated 05.04.2018, from the second respondent to the third respondent for investigation and file a final report before the concerned Judicial Magistrate.

2. The grievance of the petitioner is that his daughter by name Alphonsa Mary is found missing and hence, he gave a complaint against one Dass @ Arockyadass and based on the complaint, a case in Crime No.115 of 2018 has been registered by the second respondent police for the offences under Section 365 of I.P.C.



against the Dass @ Arockyadass. Despite registration of the complaint, so far no action has been taken to secure his daughter. Hence, he has filed the present criminal original petition.

3. The learned Additional Public Prosecutor on instructions would submit that already the girl eloped with one Dass @ Arockyadass. Earlier, the petitioner has filed a Habeas Corpus Petition before this Court and at that time, the girl appeared before the respondent police and gave a statement that she is a major and live with Arockyadass and there is no abduction. Subsequently, the Habeas Corpus Petition has been closed. Once again, a same complaint has been given by the petitioner alleging that the girl is missing and the second respondent also conducting investigation and formed a special team.

4. Considering the fact that the respondent police are investigating the case, there is no necessity to transfer the investigation to some other agency. Hence, the criminal original petition is dismissed.

Sd/-

Assistant Registrar (CO)

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Sub Assistant Registrar (CS)

Akv

To

1. The Superintendent of Police,
Office of the Superintendent of Police,
Dindigul District.
2. The Inspector of Police,
Ammayanaickanur Police Station,
Ammayanaickanur, Dindigul District.
3. The Inspector of Police,
C.B.C.I.D.,
No.62, Krishnarao Street,
Pandiayan Nagar, Dindigul.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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