



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.10.2019**

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Cr1.O.P. (MD) No.12449 of 2019

Balasubramanian

...Petitioner

Vs.

1.The Superintendent of Police,
Trichy District,
Trichy.

2.The Deputy Superintendent of Police,
Musiri,
Trichy District.

3.The Inspector of Police,
Thottiyam Police Station,
Thottiyam,
Trichy District.
(Crime No.66 of 2018)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to issue a direction, directing the first respondent to withdraw the case in Crime No.66 of 2018 on the file of the third respondent and transfer the same to any other competent investigating officer or agency.

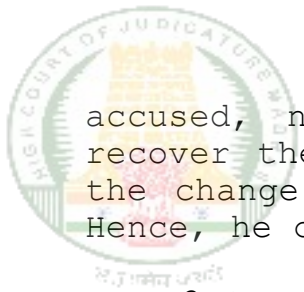
For Petitioners : Mr.K.Arunraj

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Cr1.side)

ORDER

This petition has been filed seeking a direction to the first respondent to withdraw the case in Crime No.66 of 2018 on the file of the third respondent and transfer the same to any other competent investigating officer or agency.

2.The learned Government Advocate (Cr1.side) appearing for the respondents would submit that on the complaint lodged by the petitioner the third respondent registered the case in Crime No.66 of 2018 for the offences under Sections 457 and 380 of IPC. Now, the respondent police found that the accused was arrested and remanded to judicial custody. On the basis of the confession of the



accused, now the respondent police are taking serious steps to recover the jewels sold by the accused. Under these circumstances, the change of investigation would affect the entire investigation. Hence, he opposed to transfer the investigation.

3. Considering the facts and circumstances of the case, the transfer of investigation cannot be considered at this stage. Hence, this Criminal Original Petition is dismissed. However, the third respondent is directed to complete the investigation and file a final report within a period of twelve weeks from the date of receipt of a copy of this order. Further, the first respondent is directed to monitor the investigation done by the third respondent and also ensure that the third respondent shall complete the investigation as directed by this Court.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

Sub Assistant Registrar(CS)

vsd

To

1. The Superintendent of Police,
Trichy District,
Trichy.
2. The Deputy Superintendent of Police,
Musiri, Trichy District.
3. The Inspector of Police,
Thottiyam Police Station,
Thottiyam, Trichy District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO MR.K.ARUNRAJ, Advocate Sr. No. 95175

Crl.O.P. (MD) No.12449 of 2019

31.10.2019

DKS (CO)

TR(19.11.2019) 2P 6C