

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2020

CORAM:

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

Crl.O.P.No.13305 of 2020

Kottishwari, (F/A-36 years)
W/o.Loganathan,
No.1, Hinduja Nagar,
Naloor Earikarai,
Minjur - 601 203.

... Petitioner

Vs.

The State rep by
The Inspector of Police,
E-3, Minjur Police Station,
Minjur - 601 203,
Thiruvallur District.
(Crime No.65 of 2016)

... Respondent

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, directing to issue suitable direction or order in the nature of direction for transfer the investigation registered in Crime No.65 of 2016 dated 24.02.2016 pending on the file of the Inspector of Police, E-3, Minjur Police Station, Minjur - 601 203, to any other Police Station or investigating agency.

For Petitioner : Mr.K.Sarath Kumar

For Respondent : Mr.S.Karthikeyan
Additional Public Prosecutor

O R D E R

This petition has been filed seeking for a direction directing to issue suitable direction or order in the nature of direction for transfer the investigation registered in Crime No.65 of 2016 dated 24.02.2016 pending on the file of the Inspector of Police, E-3, Minjur Police Station, Minjur - 601 203, to any other Police Station or investigating agency.

2.The learned counsel appearing for the petitioner would submit that when the the petitioner entered into the house, she found that, bureau was broken and gold jewels worth about 20 sovereigns along with other articles were stolen. Based on the complaint lodged by the petitioner, FIR was registered in Crime No.65 of 2016 dated 24.02.2016 for the offence under sections 454, 380 of IPC. Even after registering the case the

respondents did not investigate the case and simply kept in the cold storage. Therefore, the petitioner has filed a petition seeking a direction to direct the respondent to complete the investigation in CrI.O.P.No.20246 of 2017 and the same was ordered on 22.09.2017 by this Court, thereby, directing the respondent to complete the investigation and file a final report as expeditiously as possible.

3.The respondent did not complete the investigation and the same is pending. Therefore, the petitioner has again filed a contempt petition before this Court in Cont. P.No.1527 of 2019 and the same is pending as against the respondent herein.

4.The learned Additional Public Prosecutor appearing for the respondent would submit that after putting all efforts, the respondent could not find out in the accused and therefore, the FIR was closed as undetectable one by issuing referred charge sheet notice to the petitioner herein.

5.However, the learned counsel for the petitioner would submit that even till today the petitioner did not receive referred charge sheet from the respondent.

6.Considering the above submission, the respondent is directed to serve referred charge sheet notice to the petitioner forthwith and on receipt of the same, the petitioner is at liberty to file a protest petition before the Court concerned in manner known to law.

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

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

1.The Inspector of Police,
E-3, Minjur Police Station,
Minjur - 601 203,
Thiruvallur District.

2.The Public Prosecutor,
High Court, Madras.

Gp(co)
krd 28/10

CrI.O.P.No.13305 of 2020