



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.07.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

CrI.O.P.[MD]No.6385 of 2020

WEB COPY

Subbramanian

... Petitioner/Defacto
Complainant

Vs.

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

2.The Inspector of Police,
Alangulam Police Station,
Alangulam,

Tenkasi District.(Cr.No.81/20) ... Respondents/Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, praying to transfer the investigation in Crime No.81 of 2020 dated 19.03.2020 on the file of the second respondent herein to any other Superior Officer within the District on the basis of the representation to the first respondent dated 30.05.2020.

For Petitioner	:	Mr.A.Thiruvadi Kumar
For Respondents	:	Mr.S.Chandrasekar
		Additional Public Prosecutor

ORDER

This criminal original petition has been filed seeking a direction to the first respondent to withdraw the case in Crime No.81 of 2020, dated 19.03.2020, from the file of the second respondent and to transfer the same to any other Superior Officer within the District for further investigation.

2.Today, when the petition came up for hearing, the learned Additional Public Prosecutor appearing for the respondents, on instructions, would submit that after registration of the case in Crime No.81 of 2020, under Sections 457 and 380 of I.P.C., the second respondent police arrested one Vairamuthu and thereafter, after recording his confession, the stolen property was recovered. Due to the same, another one accused namely Muthupandian was granted anticipatory bail by this Court.

3.Since the stolen property was recovered immediately after registration of the case, it cannot be said that the second



respondent police has not investigated the case in correct manner. Therefore, the prayer sought for by the petitioner cannot be granted. However, considering the request made by the petitioner, it would be appropriate to direct the Deputy Superintendent of Police, Alangulam, to monitor the investigation in Crime No.81 of 2020.

4.In view of the above, the Deputy Superintendent of Police, Alangulam, is directed to monitor the investigation in Crime No.81 of 2020 registered under Sections 457 and 380 of I.P.C. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Cp

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Superintendent of Police,
Tenkasi District,Tenkasi.
- 2.The Inspector of Police,
Alangulam Police Station,
Alangulam,Tenkasi District.(Cr.No.81/20)
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Deputy Superintendent of Police,
Alangulam.

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AP (29.07.2020) 2P-5C

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