



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

Crl.O.P.[MD]No.7098 of 2020

Narayanan

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi District.

2.The Sub Inspector of Police,
Chokkampatti Police Station,
Tenkasi District.

3.The Inspector of Police,
CBCID, Tirunelveli.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to change the investigation agency from the hands of the second respondent to the third respondent in respect of the Crime No.180 of 2019 on the file of the second respondent.

For Petitioner : Mr.R.Maheswaran

For Respondents : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking direction to change the investigation agency from the hands of the second respondent to the third respondent in respect of the Crime No.180 of 2019 on the file of the second respondent.

2.The learned counsel for the petitioner would submit that the petitioner is an Army man. After his retirement, he settled his family in the petition mentioned address and is working as a security guard. Unfortunately, on 07.07.2020, at about 5.45 a.m., some unknown persons were broke open his house and stolen away the gold ornaments weighing about 269 grams and a cash of Rs.50,000/-. He would further submit that after the registration of the case, there was no progress made and the second respondent has not fulfilled his duty by way of identifying the accused and recovered



the stolen property. Only in the said circumstances, the petitioner has approached this Court for transferring the investigation.

3.The learned Additional Public Prosecutor would submit that during the time of investigation, finger prints are taken and now, the special team has been formed to find out the accused and for completing the investigation. He would undertake to find out the accused within a period of three months and recover the stolen property.

4.The submission made by the learned Additional Public Prosecutor is recorded.

5.Considering the rival submission made by either side, since the alleged offence had happened on 06.07.2019, it will appropriate to give some more time to the second respondent police to find out the accused and for recovering the stolen property. Since the petitioner is from the Army, this Court decides to direct the first respondent police as he is directed to monitor this case and to give necessary direction to the second respondent police to complete the investigation within a period of three weeks without fail.

6.This Criminal Original Petition is allowed accordingly.

Sd/-

Assistant Registrar (AD-II)

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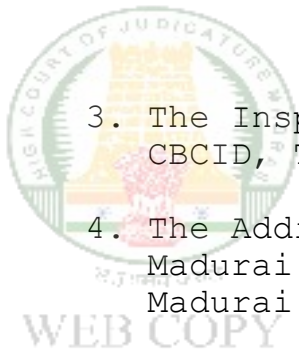
Sub Assistant Registrar(CS)

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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.
2. The Sub Inspector of Police,
Chokkampatti Police Station,
Tenkasi District.



3. The Inspector of Police,
CBCID, Tirunelveli.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**Crl.O.P. [MD]No.7098 of 2020
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CS (13.07.2020) 3P 5C