



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **31.07.2020**

CORAM:

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

Crl.O.P.[MD]No.8001 of 2020

WEB COPY

P.Mahamani

... Petitioner/Defacto Complainant

Vs.

1.The Commissioner of Police,  
Office of the Commissioner of Police,  
Trichy City.

2.The Assistant Commissioner of Police,  
Sri Rangam Range,  
Trichy.

3.The Inspector of Police,  
Thillai Nagar Police Station,  
Trichy.  
(in Crime No.487 of 2019)

... Respondents

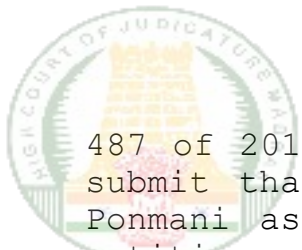
PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to transfer the investigation of the aforesaid case in Crime No.487 of 2019 on the file of the third respondent to some other competent police officer by considering the complaint of the petitioner dated 10.12.2019 and to file a final report.

|                 |                              |
|-----------------|------------------------------|
| For Petitioner  | : Mr.C.M.Arumugam            |
| For Respondents | : Mr.S.Chandrasekar          |
|                 | Additional Public Prosecutor |

### **O R D E R**

This Criminal Original Petition has been filed seeking a direction to direct the first respondent to transfer the investigation of the case registered in Crime No.487 of 2019 on the file of the third respondent to some other competent police officer by considering the complaint of the petitioner dated 10.12.2019 and to file a final report.

2.The learned counsel for the petitioner would submit that the father of the petitioner was working as sanitary worker at Ward No.49 of Trichy Corporation. On 10.12.2019, without any intimation, he has not turned up to the duty and therefore, the petitioner lodged a complaint before the third respondent police. On receipt of the same, the third respondent had registered a case in Crime No.



487 of 2019 under the provision of 'Man Missing'. He would further submit that the petitioner had suspected against one Kannamma and Ponmani as they are having money dealings with the father of the petitioner. Though the said Ponmani and her daughter namely Kanaga were interrogated by the Investigation Officer, so far the whereabouts of the petitioner's father was not identified. Therefore, the change of investigation is necessary for finding out the real culprit.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that immediately after registration of the case, the third respondent herein sent intimation to all the police stations and also sent the photograph of the petitioner's father to all the police station with the request to publish among the public. He would further submit that the third respondent had made a publication in respect of the missing of the petitioner's father and thereby, in the said circumstances, it cannot be said that the third respondent has not effectively investigated the case.

4.Upon considering the arguments advanced by either side, it is not in dispute that immediately after registration of the case, the third respondent herein made much efforts for securing the petitioner's father. As of now, according to the learned Additional Public Prosecutor, no clue was obtained. Furthermore, in the petition itself, the petitioner admitted that the suspected persons were interrogated by the Investigation Officer. In view of the above situation, it cannot be said the third respondent has not effectively investigated in this matter. However, considering the facts and circumstances of the case, it would be appropriate to give some direction to the second respondent in respect of the investigation conducted in Crime No. 487 of 2019. Accordingly, the second respondent, being the immediate superior of the third respondent, is directed to monitor the case which is registered in Crime No.487 of 2020 pending on the file of the third respondent.

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

Sd/-

Assistant Registrar (CS-II)

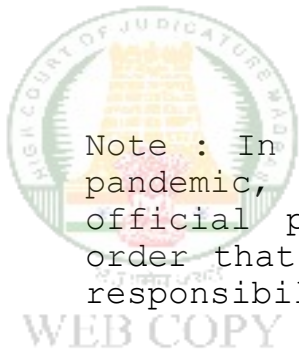
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/ /2020

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



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 Commissioner of Police,  
Office of the Commissioner of Police,  
Trichy City.
- 2.The Assistant Commissioner of Police,  
Sri Rangam Range,  
Trichy.
- 3.The Inspector of Police,  
Thillai Nagar Police Station,  
Trichy.
- 4.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

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VB (14.08.2020) 3P 5C