



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**Dated: 18.12.2020**

CORAM

THE HONOURABLE MRS. JUSTICE **T.KRISHNAVALLI**

WEB COPY

**Cr1.OP(MD)No.16677 of 2017**

R.Palanichamy

: Petitioner

Vs.

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

2.The Inspector of Police,  
Lalgudi Town Police Station,  
Lalgudi,  
Trichy District.

3.Ramakrishan,  
Special Sub Inspector of Police,  
Lalgudi Police Station,  
Lalgudi,  
Trichy District.

: Respondents

**Prayer:** Criminal Original Petition filed under section 482 of the Criminal Procedure Code, to direct the 1<sup>st</sup> respondent to withdraw the investigation in Crime No.639 of 2017 on the file of the 2<sup>nd</sup> respondent and transfer investigation to any other appropriate agency to conduct fair and free investigation and file a final report before the Jurisdictional Magistrate within the time stipulated by this court and pass any further orders.

For Petitioner

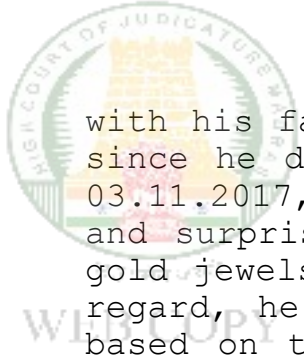
: Mr.M.Silambarasan

For Respondents  
1 & 2: Mr.K.Karmegam  
Government Advocate  
(Criminal side)**O R D E R****(Thro' VC)**

This Criminal Original Petition is filed to direct the 1<sup>st</sup> respondent to withdraw the investigation in Crime No.639 of 2017 on the file of the 2<sup>nd</sup> respondent and transfer investigation to any other appropriate agency to conduct fair and free investigation and file a final report before the Jurisdictional Magistrate within the time stipulated by this court.

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

2.According to the de-facto complainant, he is retired from the service of Tamil Nadu State Corporation and he went to Kangayam



with his family for visiting his close relative for his illness and since he died, he was constrained to stay at Kangayam and that on 03.11.2017, when he returned his home, at that time, he got shock and surprise that his house was break opened and 30 sovereigns of gold jewels were stolen from the house of the petitioner. In this regard, he lodged a complaint before the 2<sup>nd</sup> respondent police and based on that complaint, a case in Crime No.639 of 2017 has been registered for the offence under sections 454, 457 and 380 IPC.

3. When the matter is taken up for hearing, the learned Government Advocate (Criminal side) appearing for the respondents submitted that after registration of the case, the 3<sup>rd</sup> respondent had done proper investigation and he called a finger print expert and he inspected the place of occurrence and took some finger prints and the smelling dog was also came to the spot and the dog squad police was enquired and the witnesses nearby the occurrence place were enquired, sketch was drawn and the observation mahazar was also papered on the spot and in the meantime, without cooperating with the police, the petitioner has come to this court with false information and baseless allegations as against the respondents police. It is further submitted by the learned Government Advocate (Criminal side) that now, the 2<sup>nd</sup> respondent police filed a final report before the Judicial Magistrate, Lalgudi stating that now the case in Crime No.639 of 2017 has been closed as "undetected" on 15.10.2019 and he has also filed a memo to that effect.

4. The said fact is not disputed by the learned counsel appearing for the petitioner.

5. Recording the above, this court is of the view that there is no need to keep this criminal original petition pending and according, this Criminal Original Petition is dismissed. However, the petitioner is at liberty to work out his remedy before the appropriate forum in the manner known to law.

Sd/-

Assistant Registrar (CS-II)

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/ /2021

Sub Assistant Registrar(CS)

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To,

1. The Judicial Magistrate,  
Lalgudi, Trichy District.

2. The Chief Judicial Magistrate, Trichy.



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

4.The Inspector of Police,  
Lalgudi Town Police Station,  
Lalgudi, Trichy District.

5.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

**Crl.OP(MD)No.16677 of 2017**  
**18.12.2020**

VB (08.01.2021) 3P 6C