



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.3606 of 2021

Srividya

... Petitioner

Versus

- 1.The Inspector General of Police,
Western Region, Race Course,
Coimbatore - 641 018.
- 2.The Commissioner of Police,
Coimbatore City,
Old Post Office Road,
Coimbatore - 641 018.
- 3.The Inspector of Police,
E2 Peelamedu Police Station (L&O),
Coimbatore City.

4.Balaji

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 Cr.P.C. to transfer the FIR in Crime No.1506 of 2018, dated 08.09.2018 from the file of the 3rd respondent and transfer the same to any other competent investigating Agency.

For Petitioner : Mr.C.Anbuchezeheian

For Respondent : Mr.E.Raj Thilak
Nos.1 to 3 Additional Public Prosecutor

ORDER

The petitioner wife of Lakshmi Narayanan has filed this petition seeking transfer of investigation in Crime No.1506 of 2018 registered for man missing.

2.The contention of the learned counsel for the petitioner is that the petitioner's husband was found missing untraceable. Prior to that, they got estranged relation ship between them and they were living separately. The petitioner's husband was living first floor and the ground and second floor were let out lease to Balaji. Thereafter, the petitioner made enquiry with the said Balaji unable to get any information. Hereafter, the petitioner filed HCP No.2815 of 2018 before



this Court and finally, HCP was disposed of on 08.07.2019 directing the Inspector of Police, Peelamedu to continue the investigation and inform the petitioner as and when the detainee /her husband Lakshmi Narayanan is found. Thereafter, the petitioner was not informed about any progress of the case. Neither the petitioner, relatives nor any of the persons acquainted with her husband Lakshmi Narayanan was called for enquiry.

3.The learned Additional Public Prosecutor has filed a counter stating that the investigating officer inspected the house of the missing Lakshmi Narayanan, enquired several persons and made search in the Senior citizens homes and other places, recorded the statement of one Balaji S/o.Surulivel, the lessee, who is staying in the property, Jeevasagarar S/o.Palanivel and Marudhupandi S/o.Muniyandi and the petitioner seems to be settled in Bangalore and due to Covid situation, she could not be called for enquiry. The third respondent has sent information to the petitioner on 07.03.2021 calling for enquiry and to produce the documents. A Special team had been formed, who are making regular visit and checking the inmates of oldage homes and Ashram and temple and other places. On 17.11.2020, negative special report filed before the concerned Court. The allegation that the third respondent is acting in the hands of the 4th respondent is false. Now, the 4th respondent vacated the premises and the same is recorded, handed over the vacant possession to the petitioner, which is recorded in O.S.No.1321 of 2018 in the proceedings dated 30.09.2021 by the Principal Munsif Court, Coimbatore, the third respondent is taking earnest efforts, in tracing the said Lakshmi Narayanan. Now, the apprehension that the 4th respondent might be the reason for the 3rd respondent not taking action is unfounded, since the vacant possession now handed over to the petitioner and the entire property is in the enjoyment and possession of the petitioner.

4.Finding that the third respondent is taking steps to continue the investigation and the same to be continued as per the direction of this Court in HCP No.2815 of 2018. Accordingly, the criminal original petition is disposed of. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

Sms

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To

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E2 Peelamedu Police Station (L&O),
Coimbatore City.
4. The Public Prosecutor,
High Court,
Madras.

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PM(CO)
GMY(13/12/2021)