



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2021

CORAM :

THE HONOURABLE Mrs. JUSTICE **R.THARANI**

Crl.O.P.(MD)No.2876 of 2021

Ramkumar ... Petitioner/Accused No.2
Vs.

The State
rep., by Inspector of Police,
IDOL, Chennai.
(Crime No.11 of 2020) ... Respondent

Prayer : Criminal Original Petition filed under Section 482 of Cr.P.C to direct the respondent to expedite the investigation in Crime No.11 of 2020 dated 23.10.2020 and to file a final report within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.D.Rameshkumar
For Respondent : Mr.S.Chandrasekar
Additional Public Prosecutor

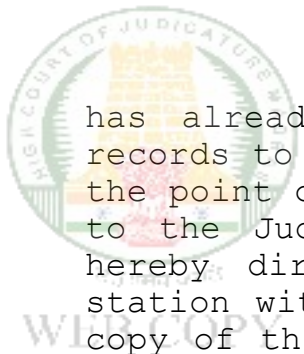
ORDER

This petition is filed to direct the respondent to expedite the investigation in Crime No.11 of 2020 and to file a final report within a time stipulated by this Court.

2.On the side of the petitioner it is stated that the petitioner is A2 in the case and final report was not filed by the respondent and prayed for a direction to file the final report within a time limit to be prescribed by this Court.

3.On the side of the respondent it is stated that initially the Idol Wing was investigating the case and that the FIR was sent to the Special Court, Kumbakonam. After verification of the idol, it was found that the idol is not an antique one. The Investigating Officer filed a report and thereafter, Section 25(2) of the Antiques and Art Treasures Act was removed. Since only Sections 454(2), 457(2), 380(2), 120B and 34 of IPC is made out, the case has to be transferred to the regular investigating agency. The petitioner has created a focus certificate as if the idol was an antique one and the Special Court, Kumbakonam has to transfer the file and prayed for suitable order in this regard.

4.A perusal of the records reveals that Additional Chief Judicial Magistrate/Special Judge for Idol Theft cases, Kumbakonam



has already passed an order on 15.02.2021 to transfer the case records to the file of the Judicial Magistrate Court, Rajapalayam on the point of jurisdiction. Since the bundle was already transferred to the Judicial Magistrate Court, Rajapalayam, the respondent is hereby directed to transfer the investigation to the concerned station within a period of one month from the date of receipt of a copy of this order and thereafter, the regular police, who take up the case for investigation, is hereby directed to file a final report within a period of four months from the date of transfer of the case.

5. With the above directions, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rmk

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 Inspector of Police,
IDOL, Chennai.
2. The Inspector of Police,
Rajapalayam.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CrI.O.P. (MD) No.2876 of 2021
24.02.2021

NSM(CO)
KK(16.03.2021) 2P 4C

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