



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.12.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P.(MD)No.12675 of 2021

G.Masilamani

... Petitioner/Defacto Complainant

Vs.

1. The Director General of Police,
Office of the Director General of Police,
Beach Road, Chennai.

2. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.

3. The Deputy Superintendent of Police,
C.B.C.I.D,
Tirunelveli.

... 1 to 3 Respondents/Nil

4. The Inspector of Police,
Melapalayam Police Station,
Melapalayam,
Tirunelveli- 627 005.

... 4th Respondent/Complainant

5. The Inspector of Police,
Crime Branch,
Palayamkottai,
Tirunelveli.

... 5th Respondent/Nil

Prayer : Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the first respondent herein to transfer the investigation in Crime No.936 of 2020 on the file of the fourth respondent/police, from the fourth respondent to third respondent for conducting an impartial and unbiased investigation in the matter in accordance with law.

For Petitioner : Mr.R.M.Suresh

For Respondents : Mr.M.Sakthi Kumar
Government Advocate(Criminal Side)



ORDER

The petitioner is the defacto complainant in Crime No.936 of 2020 registered on the file of Melapalayam Police Station, Tirunelveli, for the offence under Section 379 IPC. The petitioner states that on 08.09.2020, he came to Tirunelveli New Bus Stand and that he fell asleep in the bus stand premises itself. When he woke up at 03.30 a.m, he found that his bag was missing. The bag contained jewelry. The petitioner lost around 4 sovereigns of gold. Based on the petitioner's complaint, the aforementioned Crime No.936 of 2020 was registered. Even though more than one year has lapsed, there is no progress in the investigation. Hence this Criminal Original Petition has been filed seeking transfer of investigation.

2. I called upon the fourth respondent to file a status report to indicate if all the leads given by the petitioner were explored and why till date, they could not crack the case. It is seen from the said status report that the fourth respondent had, in fact, taken all the necessary steps.

3. Be that as it may, no case for transfer of investigation has been made out. The fourth respondent is directed to file the final report within a period of four months from the date of completion of investigation. This Criminal Original Petition is disposed of, accordingly.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

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 Director General of Police,
Office of the Director General of Police,
Beach Road, Chennai.

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



2. The Commissioner of Police,
Tirunelveli City,
Tirunelveli.
3. The Deputy Superintendent of Police,
C.B.C.I.D,
Tirunelveli.
4. The Inspector of Police,
Melapalayam Police Station,
Melapalayam,
Tirunelveli- 627 005.
5. The Inspector of Police,
Crime Branch,
Palayamkottai, Tirunelveli.
6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.12675 of 2021

22.12.2021

USK (06.01.2022) 3P 7C