



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.11.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.17667 of 2021

R.Soosai Manickam

... Petitioner

Vs.

1.The Superintendent of Police,
Sivagangai District - 630 562.

2.The Sub Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the 1st respondent to transfer the investigation in Crime No.158 of 2017 from 2nd respondent namely, Sub Inspector of Police, Devakkottai Town Police Station to some other agency and recover the jewels of the petitioner.

For Petitioner : Mr.K.Lavan
For Respondents : Mr.T.Senthil Kumar,
Addl. Public Prosecutor.

O R D E R

The petitioner is the defacto complainant in Crime No.158 of 2017 registered on the file of Devakottai Town Police Station for the offence under Section 379 of IPC. The petitioner seeks transfer of investigation on the ground that that there has been no progress investigation.

2.When the matter was taken up for hearing, the learned Additional Public Prosecutor pointed out that a closure report was made ready as early as on 01.12.2017 itself. The second respondent has proposed to close the case as undetected. However, copy of the same was not served on the petitioner. The second respondent is directed to serve the same on the petitioner immediately and also file the same before the jurisdictional Magistrate within a period of one week from the date of receipt of a copy of this order. It is open to the jurisdictional Magistrate to take a call in the matter. If the learned Magistrate decides to accept the final report, then the Magistrate will issue notice to the petitioner herein and the petitioner will be entitled to file a protest petition. Thereafter, it is for the Magistrate to take a call in the matter. All the contentions of the petitioner are left open. The entire exercise shall be concluded on merits and in accordance with law within a period of four months.



3.This criminal original petition is disposed of accordingly.

Sd/-

Assistant Registrar (CO)

WEB COPY

// True Copy //

/ /2021

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 Superintendent of Police,
Sivagangai District - 630 562.
- 2.The Sub Inspector of Police,
Devakottai Town Police Station,
Devakottai,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

COPY TO:

The Judicial Magistrate,
Devakottai, Sivagangai District.

+1 CC to M/s.K. LAVAN, Advocate (SR-35547[F] dated 23/11/2021)

Crl.O.P(MD)No.17667 of 2021

22.11.2021

AM(CO)

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