



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.03.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.7310 of 2022

and

Crl.M.P.No.4189 of 2022

V.Nedunchezian

... Petitioner

Vs.

1.The Superintendent of Police,
Dharmapuri.

2.The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the 1st respondent to transfer the investigation to some other agency in Cr.No.291 of 2021 on the file of the 2nd Respondent consequently and to file final report within a stipulated period of time as fixed by this Court.

For Petitioner : Mr.R.Ezhilarasan

For Respondent : Mr.V.Meganathan

Government Advocate (crl.side)

O R D E R

This Criminal Original Petition has been filed to direct the 1st respondent to transfer the investigation to some other agency in Cr.No.291 of 2021 on the file of the 2nd Respondent and to file the final report within a stipulated period of time.

2.Learned counsel for the petitioner would submit that on the complaint given by the petitioner in respect of theft of petitioner's optical signal converter and other set up boxes on 26.03.2021, though a case of cognizable nature is made out in the complaint, the second respondent instead of registering the case, had only conducted enquiry in CSR.No.30 of 2021. Aggrieved by the same, the petitioner had approached this Court in Crl.O.P.No.16558 of 2021. Thereafter, the respondent had registered a case in Crime No.291 of 2021 for the offence under Section 379 of IPC. After registering the case, there is no progress in the investigation and even the recovered articles are not produced before the Court, so far, to enable the



Petitioner to take return of property. Since no action has been taken by the 2nd Respondent, second incident on similar lines has been committed by the culprits. The respondent has conducted investigation in slip shot manner and thereby, the present petition has been filed to transfer the case to some other agencies.

3.Mr.V.Meganathan, learned Government Advocate (crl.side) would submit that investigation was done in a proper manner. However, he would submit that if the Petitioner is aggrieved by the investigation done by the second Respondent, direction may be issued to the Deputy Superintendent of Police, Harur to monitor the investigation.

4. It is clear that the 2nd Respondent has not conducted the investigation in a proper manner. However, this Court finds that it is not a fit case to transfer, thereby, direction is issued to the Deputy Superintendent of Police, Harur to monitor the investigation done by the second respondent. The Second respondent is directed to complete the investigation and file the final report as expeditiously as possible preferably, within a period of four months from the date of receipt of a copy of this order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

shk/sai
To

1. The Superintendent of Police,
Dharmapuri.
2. The Deputy Superintendent of Police, Harur.
3. The Inspector of Police,
Kottapatti Police Station,
Dharmapuri District.
4. The Public Prosecutor,
High Court of Madras.

+lcc to Mr.R.Ezhilarasan, Advocate, S.R.No.22521

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MT(CO)
CT 19/04/2022