



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 14.06.2022
CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.15472 of 2020

C.Anitha

... Petitioner

Vs.

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.

2. The Inspector of Police,
E-2, Thirupalaivanam Police Station,
Thiruvallur District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to transfer the investigation in Crime No.91 of 2019 pending on the file of the second respondent to some other investigation agencies of Tamil Nadu.

For Petitioner : Mr.S.Vijayakumar

For Respondents: Mr.A.Gopinath
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed to transfer the investigation in Crime No.91 of 2019 pending on the file of the respondent Police to some other investigation agencies of Tamil Nadu.

2. The case of the petitioner is that on 14.08.2019, one Muruganandham has come to the petitioner's house and handed over her husband's cell phone and informed that he was missing. On 15.08.2019, two other persons came to the petitioner's house and handed over her husband's belonging such as Handbag, Pant-Shirt, Blanket, Identification card issued by the Corporation of Chennai, Driving License and one pair of slippers of her husband and informed that her husband had left with above items and had gone missing. Therefore, the petitioner lodged complaint on 15.08.2019 and the same was registered in Crime No.91 of 2019. However, even till today, the second respondent failed to found the missing husband of the petitioner and as such, the petitioner sought for transfer of investigation in Crime No.91 of 2019.



3. The learned Government Advocate (criminal side) appearing for the respondents would submit that the second respondent had filed the status report which revealed that the second respondent insofar enquired five persons including the persons who have handed over all the belongings of the petitioner's husband. It further revealed that the missing person along with the persons who were enquired by the second respondent, went to Palaverkadu beach and all of them had consumed alcohol, thereafter, the said Raman and Muruganandam went to beach for taking bath and the missing person was lying in the Savukkuthoppu near Palaverkadu beach. After half an hour, both of them returned to the place where they were consumed Alcohol and found missing of the petitioner's husband and they found only his belongings and subsequently all the belongings were handed over to the petitioner. Further, there is no clue about the missing person whereabouts.

4. In the meanwhile, the petitioner has also filed the Habeas Corpus Petition before this Court in H.C.P.No.1863 of 2019 and the same was closed on 13.09.2019 with direction to the second respondent to complete the investigation. Even till today, the missing person was not found.

5. Taking into consideration of the facts and circumstances, change of investigation would not serve any purpose in Crime No.91 of 2019. However, the second respondent is directed to complete the investigation in Crime No.91 of 2019 as expeditiously as possible.

6. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

nti/ata
To

1. The Superintendent of Police,
Thiruvallur District,
Thiruvallur.
2. The Inspector of Police,
E-2, Thirupalaivanam Police Station,
Thiruvallur District.
- 3.The Public Prosecutor,High Court, Madras.

+1 cc to Mr.S.Vijayakumar, Advocate Sr.NO. 35404

CrI.O.P.No.15472 of 2020

gpl(CO)

A.SK(01/07/2022)