



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL OP(MD) . No.9031 of 2020

S.Pethuraj

....Petitioner/
Defacto Complainant

Vs

1.State rep by.

The Additional Direct General of Police,
CBCID, Block No.3,
1st Floor, Electronic Complex,
Sidco Gindy,
Chennai.

2.Inspector General of Police,
South Zone,
Madurai.

3.The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

4.The Deputy Superintendent of Police,
CBCID Wing,
Virudhunagar.

5.The Inspector of Police,
Pandalakudi Police Station,
Virudhunagar District.

....Respondents/
Complainants

PRAYER :- This Criminal Original Petition filed under Section 482 Cr.P.C. to direct to withdraw the case in Crime No.105 of 2019 pending on the file of the 5th respondent herein and entrust the same to the fourth respondent and also direct the first respondent monitor the same effectively and file final report in accordance with law.

For Petitioner : Mr.Mohideen Basha

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



ORDER

The Criminal Original Petition has been filed to withdraw the case in Crime No.105 of 2019 pending on the file of the 5th respondent herein and entrust the same to the fourth respondent and also direct the first respondent to monitor the same effectively and file final report in accordance with law.

2. The case of the petitioner is that on 09.09.2019, the petitioner locked the main door of his house and went to sleep and when the petitioner's wife woke up at 3.45 a.m., on the next day i.e 10.09.2019, she saw that the lock was broken and the main door of the house was opened and 42 sovereigns of gold chain were stolen by the accused. She immediately informed the petitioner about the same. Thereafter, the petitioner gave a complaint before the fifth respondent police and he registered a case in Crime No.105 of 2019. Till date, the fifth respondent has not taken any steps to secure the accused persons. Hence, this Criminal Original Petition is filed.

3. As per the direction of this Court, the fifth respondent has filed a status report, it is revealed that the witnesses have given a contrary statement with regard to the stolen jewels by the accused persons. However, they examined so many witnesses and they did not give any effective information with regard to the occurrence and the jewels.

4. On perusal of the records, it shows that the crime is of the year 2019 and till date, no one is secured in pursuant to the case in Crime No.105 of 2019.

5. Considering the facts and the circumstances of this case, the case in Crime No.105 of 2019 on the file of the fifth respondent is withdrawn and the same is transferred to the file of the fourth respondent herein for fair and proper investigation.

6. In the result, this Criminal Original Petition is allowed.

Sd/-

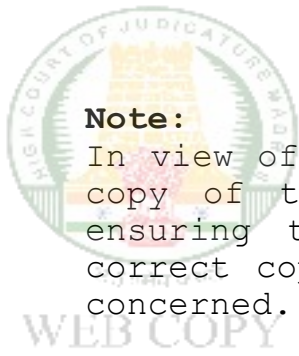
Assistant Registrar (RTI)

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Sub Assistant Registrar (CS)

TTA



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

The Additional Direct General of Police,
CBCID, Block No.3,
1st Floor, Electronic Complex,
Sidco Gindy,
Chennai.

2. Inspector General of Police,
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3. The Superintendent of Police,
Virudhunagar District,
Virudhunagar.

4. The Deputy Superintendent of Police,
CBCID Wing,
Virudhunagar.

5. The Inspector of Police,
Pandalakudi Police Station,
Virudhunagar District.

6. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

CRL OP(MD) . No.9031 of 2020

Date : 28/03/2022

RK(17/05/2022) 3P 7C