



CrI.O.P.(MD) No.12020 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2022

CORAM:

THE HONOURABLE MR. JUSTICE **V.SIVAGNANAM**

CrI.O.P.(MD) No.12020 of 2022

B.Kasim Mohammed Ali,

: Petitioner

Vs

1. The Commissioner of Police,
Tiruchirappalli City,
Tiruchirappalli.

2. The Inspector of Police,
Edamalaipattipudur Police Station,
Trichy-12

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to transfer the investigation from the second respondent to any other investigation agency in Crime No. 111 of 2016 on the file of the second respondent police.



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For Petitioner : M/s Arun Jayatram.P,
For Respondents : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking to transfer the investigation in Crime No. 111 of 2016 from the file of the second respondent to any other investigation agency.

2.The learned Counsel appearing for the petitioner submitted that the petitioner lodged a complaint before the respondent police, for the same, an FIR has been registered in Crime No.111 of 2016, on the allegations that on 04.05.2016 at about 02.30 pm, the petitioner went to Rameswaram to attend his relative's condolence then, returned back on 05.05.2016 at 09.00 am and found that his house was broken and jewels were stolen by some unknown persons. Hence the complaint. But, so far, the respondent police has not investigated. Therefore, this petition has been filed seeking transfer of investigation.

3.The learned Government Advocate (Crl.Side) submitted that based on the complaint lodged by the petitioner, the respondent police registered an



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FIR in Crime No. 111 of 2016, for the offences under Sections 457, 380 IPC.

After that, the respondent made investigation, but they are unable to trace out the accused person, who committed the theft. Hence, they closed the complaint as 'undetected' and closure report was also sent to the concerned Judicial Magistrate Court, on 10.09.2020.

4.I have considered the matter in the light of the submission made by both the parties.

5.Even though the learned Government Advocate (Crl.Side) submitted that the case has been closed as 'undetected' but, the respondent police issued a summon to the complainant on 01.04.2022, for appearance of the petitioner before the concerned police station and also to conduct enquiry in this regard.

6.In view of the above, the respondent police is directed to investigate the matter, find out the offenders and then file final report before the concerned Judicial Magistrate Court.



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7. With the said direction, this criminal original petition stands disposed
of.

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05.07.2022

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
lr



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V.SIVAGNANAM, J.

lr

To

1. The Commissioner of Police,
Tiruchirappalli City,
Tiruchirappalli.
2. The Inspector of Police,
Edamalaipattipudur Police Station,
Trichy-12
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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