

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 08.02.2022

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN****Cr1.O.P. (MD) No.12118 of 2021**

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T.Rajasekar

... Petitioner

Vs.

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

2.The Deputy Superintendent of Police,
Illuppur,
Pudhukkottai District.

3.The Inspector of Police,
Illuppur Police Station,
Pudhukkottai District.

... Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C. to transfer the investigation of the case in Crime No.45 of 2021, on the file of the 3rd respondent to any other investigating agency.

For Petitioner : Mr.A.Azhageson

For R1 To R3 : Mr.B.Thanga Aravindh
Govt.Advocate (crl.side)**ORDER**

This Criminal Original Petition has been filed praying to transfer the investigation of the case in Crime No.45 of 2021, on the file of the 3rd respondent to any other investigating agency.

2.The case of the petitioner is that he lodged complaint alledging that 26 sovereigns of gold jewels had been stolen from his house and as such, he lodged the complaint. On receipt of the same, the third respondent registered the case in Crime No.45 of 2021, for the offences under Sections 454 and 380 of the Indian Penal Code. Even after a period of several months, the third respondent failed to secure the accused and he did not verify the CCTV footages, which were very much available in the locality. Therefore, the petitioner sought for transfer of investigation from the file of the third respondent to any other investigation agency in respect of Crime No.45 of 2021 on the file of the third respondent.



3. While pending the petition, this Court directed the third respondent to file status report with regard to the investigation. Accordingly, the third respondent submitted the status report, dated 28.09.2021, which revealed that on 13.02.2021, the officers of the Fingerprint Bureau visited the scene of occurrence and examined the articles. However, those fingerprints are not identical to the other accused persons. On 14.02.2021, the third respondent took the CCTV footages, which are installed in all the locality in the scene of occurrence. Further, a special team was informed to nab the culprits and enquire with the accused who were involved in such type of crimes. On perusing the CCTV footages, some persons were brought to the police station and made enquiry. But, on enquiry there was no clue about the real culprit.

4. However, considering the above, the third respondent is directed to complete the investigation in Crime No.45 of 2021, within a period of twelve weeks from the date of receipt of a copy of the order. The second respondent is directed to monitor the investigation done by the third respondent and ensure that the third respondent shall comply the direction issued by this Court.

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

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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,
Pudhukkottai,
Pudhukkottai District.

2.The Deputy Superintendent of Police,
Illuppur,
Pudhukkottai District.

3.The Inspector of Police,
Illuppur Police Station,
Pudhukkottai District.



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

Cr1.O.P. (MD) No.12118 of 2021

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MGJ(04.03.2022) 3P 5C