



Crl.O.P.(MD) No.12713 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 16.08.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12713 of 2022

and

CrI.M.P(MD) No.8046 of 2022

Abraham

... Petitioner/ Complainant

Vs

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

2. The Deputy Superintendent of Police,
Valliyur Sub-Division,
Valliyur,
Tirunelveli District.

3. The Inspector of Police,
Panagudi Police Station,
Tirunelveli District.
(In Crime No.108 of 2022).

4. The Inspector of Police,
Crime Branch Crime Investigation Department (C.B.C.I.D)
No.26 D, C Colony,
Perumalpuram, Tirunelveli,
Tirunelveli District – 627 007.

... Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to issue a direction to transfer the investigation from the file of the third respondent to the file of the fourth respondent for conducting fair and impartial investigation in Crime No.108 of 2022, on the file of the third respondent police.

For Petitioner : Mr.R.Karunanidhi
Advocate.
For Respondents : Mr.R.Suresh Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed for a direction to transfer the investigation from the file of the third respondent to the file of the fourth respondent for conducting fair and impartial investigation in Crime No.108 of 2022, on the file of the third respondent police.

2. The learned counsel appearing for the petitioner submitted that the complainant's daughter viz., Subitha, aged about 19 years, is studying 3rd year Bachelor of Engineering (B.E) at the Universal Engineering College. She was missing on 23.12.2021. Hence, the petitioner gave a complaint to the respondent police and the complaint has been received in C.S.R.No.981



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of 2021, dated 27.12.2021. Thereafter, the case has been registered in Crime No.108 of 2022 for “Woman Missing”. Since there is no progress, this Criminal Original Petition has been filed for transferring the investigation.

3. The learned Government Advocate (Crl.Side) appearing for the respondents filed counter affidavit and submitted that the missing girl was in love with one Mr.Vinay @ Bala Vinayagam of Thellaru Village, Vandavasi Taluk, Thiruvannamalai District, who was working in Chennai. He also missing from December, 2021, and FIR has been registered by the Thellaru Police Station on February 2022. Investigation is going on in both cases. He further submitted that the respondent police is taking all necessary steps to find out the missing persons and hand over to their parents. Requisition to generate CDR for the suspected Mobile Nos. of Vinay @ Bala Vinayagam and his family members was given on 30.03.2022 and also to find their current location using GPS signal. Since both the Mobiles of the Boy and Girl are switched off, there is a delay in the process and also the police has almost reached the victim girl. It will be unfair, at this stage, to transfer the investigation to some other agency. The investigation will soon be over and the girl will be found as soon as possible.



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4. In view of the above, the second respondent police- The Deputy Superintendent of Police, Valliyur Sub Division, Valliyur, Tirunelveli District is directed to monitor the case and find out the missing girl within a period of three months from the date of receipt of a copy of this order.

5. With the above said direction, this Criminal Original Petition is disposed of. Consequently, the connected Miscellaneous Petition is closed.

16.08.2022

Internet: Yes./No
Index: Yes/no
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To

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2. The Deputy Superintendent of Police,
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Valliyur,
Tirunelveli District.
3. The Inspector of Police,
Panagudi Police Station,
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(In Crime No.108 of 2022).
4. The Inspector of Police,
Crime Branch Crime Investigation Department (C.B.C.I.D)
No.26 D, C Colony,
Perumalpuram, Tirunelveli,
Tirunelveli District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

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ORDER IN
CRL.O.P (MD) No.12713 of 2022

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