



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.02.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P(MD)No.13415 of 2021

Thirumalaiammal

... Petitioner

Vs.

1.The Director General of Police,
Dr.Radhakrishnan Road,
Mylapore,
Chennai.

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

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

4.The Inspector of Police,
Courtallam Police Station,
Tenkasi District.

5.Additional Director General of Police,
Crime Branch-CID,
SIDCO Complex,
Guindy,
Chennai.

6.The Superintendent of Police,
C.B.C.I.D,
Madurai.

7.The Inspector of police,
C.B.C.I.D,
Tirunelveli-7

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the first respondent to transfer the investigation in Crime No.118 of 2021 dated 13.03.2021 from the respondents 4 to 7.

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondents : Mr.E.Antony Sahaya Prabahar

Additional Public Prosecutor



ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

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2. The petitioner is the defacto complainant in Crime No.118 of 2021 registered on the file of Courtallam Police Station. The petitioner is a victim of a major theft. Some 501 grams of gold belonging to the petitioner worth around Rs.28 Lakhs has been stolen. It appears that the fourth respondent has been able to identify the accused based on the lead provided by the petitioner. But then, there has been virtually no recovery at all. In these circumstances, the petitioner has filed this Criminal Original Petition seeking transfer of investigation. The accused was arrested while the second accused surrendered before the Court. I find considerable force in the contention of the petitioner's counsel that the fourth respondent appears to be rather indifferent to the plight of the petitioner herein. A case for transfer of investigation has been made out. It is not necessary to entrust that investigation to the CBCID. I am confident that the Superintendent of Police, Tenkasi, will choose a competent Officer to take over the investigation.

3. Therefore, the investigation is transferred from the file of the fourth respondent. The third respondent will appoint a competent officer in the rank of a Deputy Superintendent of Police to conduct investigation in the matter. It is open to the Deputy Superintendent of Police to form his own special team, so that, effective steps are taken to recover the jewels stolen from the petitioner also. I would expect the new team to crack the entire case within a period of three months from the date of receipt of copy of this order. This Criminal Original Petition is allowed on these terms.

Sd/-

Assistant Registrar (P&A)

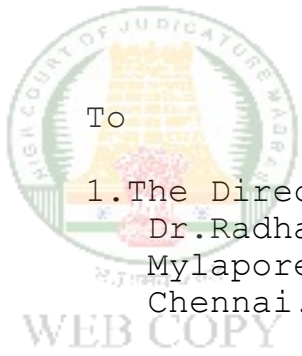
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/ /2022

Sub Assistant Registrar(CS)

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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 Director General of Police,
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Madurai.

7.The Inspector of police,
C.B.C.I.D,
Tirunelveli-7

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

Crl.O.P (MD) No.13415 of 2021
01.02.2022

SB(CO)
KB(17.02.2022) 3P 9C