



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.O.P (MD)No.18317 of 2021

Veerakumar

... Petitioner

Vs.

The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti,
Madurai District.
(In Crime No.661 of 2018)

... Respondent

Prayer: This Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondent to conduct further investigation in C.C.No.41 of 2020 pending on the file of the learned Judicial Magistrate No.I, Usilampatti and to file complete charge sheet.

For Petitioner : Mr.A.Jayaramachandran
For Respondent : Mr.M.Veeranthiran,
Govt. Advocate (Crl. Side)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

2.The petitioner seeks further investigation in C.C.No.41 of 2020 on the file of the Judicial Magistrate No.I, Usilampatti. The petitioner is the defacto complainant. 35 sovereigns of jewellery belonging to the petitioner got stolen leading to registration Crime No.661 of 2018 on the file of Usilampatti Town Police Station for the offences under Sections 457 and 380 of IPC. The police were able to secure the accused and recovered 15 sovereigns of jewellery. The same have also been returned to the petitioner. But then, charge sheet was filed and the case is presently pending trial. There are totally three accused. The learned counsel for the petitioner would contend that the investigation carried out by the respondent police is silent as regards the rest of jewellery. It is quite possible that the rest of the jewellery could not be recovered. But then, the police are bound to explain as to what



happened to the remaining jewellery. It is for this reason, the petitioner seeks further investigation.

3. Though the contention of the petitioner's does have substance, I am not in a position to order further investigation considering the special facts and circumstances obtaining in this case. The prosecution laments that all the accused had been granted bail by the Court and that they are presently absconding and that NBW could not even be executed. The occurrence itself took place more than three years ago. Ordering further investigation at this point of time may not really serve any purpose. It is for this reason that I decline to grant relief. This criminal original petition is dismissed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ias

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 Judicial Magistrate No.I,
Usilampatti.
2. The Inspector of Police,
Usilampatti Town Police Station,
Usilampatti, Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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nsn(CO)
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