



CrI.O.P.No.16080 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.16080 of 2023

R.Chandrakumar

.. Petitioner

Vs.

1. The Superintendent of Police,
Coimbatore District.

2. The Deputy Superintendent of Police,
Karumathampatti Sub Division,
Coimbatore District.

3. The Inspector of Police,
Sulthanpettai,
Coimbatore District.

... Respondents

Prayer: This Criminal Original Petition is filed under Section 482 Cr.P.C. to direct the 1st respondent to transfer the investigation in Crime No.253 of 2020 dated 23.05.2020 on the file of the 3rd respondent to any other competent investigation agency.



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For Petitioner : Mr.K.Nagendra Prasad
For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original petition has been filed seeking for a direction to the 1st respondent to transfer the investigation in Crime No.253 of 2020 dated 23.05.2020, pending on the file of the 3rd respondent to any other competent investigation agency.

2. Heard Mr.K.Nagendra Prasad, learned counsel for the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor, for respondents.

3. The wife of the petitioner had earlier filed HCP No.2033 of 2020 and this Court passed the following order :-

3. It is seen that on a complaint given by Maheshwari, third respondent herein, the police have registered a case in



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Sulthanpettai Police Station Crime No.253 of 2020 on 23.05.2020

for -man missing- and investigation is in progress. Since this Court was not satisfied with the progress of the investigation, the case in Sulthanpettai Police Station Crime No.253 of 2020 was transferred to the file of the Deputy Superintendent of Police, Karumathampatti Sub~Division, for proper investigation.

4. Today, Mr.N.Suryamoorthy (Mobile No.94981 68471), Deputy Superintendent of Police, Karumathampatti Sub~Division, is present and has filed a detailed status report, wherein, he has stated about the steps that has been taken by him to find out the whereabouts of Silambarasan. The investigation conducted by him so far revealed that Silambarasan was addicted to liquor and has left the matrimonial home after quarrelling with his wife Maheshwari, third respondent. As regards the allegation of the petitioner that Maheshwari, third respondent and Dinesh, fourth respondent, were having an affair and they would have got rid of Silambarasan, the status report shows that the said allegation is unfounded.

5. We are satisfied with the progress in the



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investigation by the Deputy Superintendent of Police, Karumathampatti Sub~Division. He shall continue his investigation and keep the petitioner informed of the developments, if any. As and when Silambarasan (detenu) is secured, he may be produced before the Judicial Magistrate Court, Sulur, under intimation to the petitioner and Maheshwari, third respondent.

4. The grievance of the petitioner is that the above order was passed in the year 2021 and thereafter, there has been absolutely no progress. That apart, the respondent police did not investigate the involvement of the daughter in law and one Dinesh who are suspected to have done away with Silambarasan, who is the son of the petitioner.

5. In the considered view of this Court, the said suspicion on the part of the petitioner was held to be unfounded by the Division Bench. In a man missing case, this Court has given



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guidelines in *[K. Sukumari Versus Superintendent of Police, Virudhunagar & Others]* reported in 2018 2 LW Crl 636 and the respondent police is directed to conduct the investigation in the light of the guidelines issued by this Court and make all efforts to trace the son of the petitioner. Except giving this direction, no further orders can be passed in this petition.

6. This Criminal Original Petition is disposed of with the above directions.

19.07.2023

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Index :Yes/No

Internet:Yes

Speaking Order/Non-speaking Order



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To

1. The Superintendent of Police,
Coimbatore District.
2. The Deputy Superintendent of Police,
Karumathampatti Sub Division,
Coimbatore District.
3. The Inspector of Police,
Sulthanpettai,
Coimbatore District.
4. The Public Prosecutor,
Madras High Court, Chennai.

N.ANAND VENKATESH,J.

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