



Crl.O.P(MD).No.2967 of 2021

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2023

CORAM:

**THE HONOURABLE MRS. JUSTICE R.THARANI**

Crl.O.P(MD).No.2967 of 2021

T.Jeyalakshmi

...Petitioner

Vs

1.The Superintendent of Police,  
Tirunelveli District.

2.The Inspector of Police,  
Tisaiyanvillai Police Station,  
Tirunelveli District.  
(Crime No.26 of 2019)

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying this Court to transfer the investigation of Crime No.26 of 2019 from the file of second respondent to any other agency/authority and complete the investigation in a timely manner.

For Petitioners

: Mr.J.Kingsly Solomon

For Respondents

: Mrs.M.Aasha

Government Advocate (Crl. Side)

### **ORDER**

This petition is filed to transfer the investigation of Crime No.26 of 2019 from the file of second respondent to any other agency/authority and to complete the investigation.



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2.The petitioner is the defacto complainant in Crime No.26 of 2019 pending before the second respondent Police. The petitioner has filed a complaint regarding the theft of 127 ½ sovereign of gold from her house.

3.The case of the petitioner is that one of the accused was arrested and 26 sovereign of gold was recovered from him. The balance jewels were not recovered by the Police. The petitioner has filed so many petitions to the Superintendent of Police and to the CM cell for the recovery of balance jewels. The petitioner prayed the investigation to be transferred to some other agency so that the Police can recover the balance jewels.

4.On the side of the petitioner, it is stated that in the confession statement of the accused, two more accused were mentioned and that those two persons were not arrested by the Police and prayed the investigation to be transferred to some other agency.

5.On the side of the prosecution, it is stated that the second respondent is taking all efforts to trace out all other accused and their whereabouts could not be traced. Within a reasonable time, the second respondent will sought out the issue and prayed the petition to be dismissed.



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6.It is seen that the FIR was registered in the year 2019. Till now 2023, the second respondent was not able to trace out the whereabouts of the co accused and there was no further recovery in this case.

7.In view of the above, this case is withdrawn from the file of the second respondent and is transferred to the file of the Deputy Superintendent of Police, Valliyoor. Hence, this Criminal Original Petition is **allowed**.

**05.04.2023**

NCC : Yes/No

Internet : Yes/No

Index : Yes/No

Mrn

To

1.The Superintendent of Police,  
Tirunelveli District.

2.The Inspector of Police,  
Tisaiyanvillai Police Station,  
Tirunelveli District.

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



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**R. THARANI,J.**

Mrn

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