



Crl.O.P.(MD).No.5948 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.06.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD).No.5948 of 2023

V.Ravi Kumar

... Petitioner

Vs.

1.The Commissioner of Police,
Tirunelveli City, Tirunelveli.

2.The Assistant Commissioner of Police,
Tirunelveli Town,
Tirunelveli District.

3.The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of the Criminal Procedure Code, to direct the case in Crime No.445 of 2016 dated 27.09.2016 which was registered by the third respondent Police to transfer the same from the third respondent to another Investigation Officer within the time limit that may be stipulated by this Court.

For Petitioners : Mr.M.Pandian

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

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Seeking transfer of investigation in Crime No.445 of 2016 from the file of third respondent, to some other investigating agency, this petition has been filed.

2.The learned counsel for the petitioner would submit that the petitioner is the defacto complainant in this case. He lodged a complaint before the respondent police on 27.09.2016, alleging that theft was committed by some body else in his house. The above said complaint was registered in Crime No.445 of 2016 under Section 457 and 380 IPC. He would further submit that the third respondent without proper investigation has filed final report as undetected. Hence, this petition.

3.Earlier report has been called for from the trial Court as to the stage of final report filed in this case. Report has been received from the learned Judicial Magistrate No.IV, stating that the final report was filed as undetected and the defacto complainant was served with notice and also appeared in person on 10.04.2018. Later, it was adjourned to several dates and on 31.07.2018, the defacto complainant appeared and



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stated that he has no objection to close the FIR. On that ground the case has been closed. In view of the above, nothing survives for further consideration to transfer the case.

4. Accordingly, this criminal original petition stands disposed of.

07.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
TM

To

1. The Commissioner of Police,
Tirunelveli City, Tirunelveli.

2. The Assistant Commissioner of Police,
Tirunelveli Town,
Tirunelveli District.

3. The Inspector of Police,
Thatchanallur Police Station,
Tirunelveli District.

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



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G.ILANGO VAN,J.

TM

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