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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2023

CORAM:

THE HONOURABLE **MR. JUSTICE K.K.RAMAKRISHNAN**

Crl.O.P.(MD) No.7877 of 2021

V.S.Sankar

...Petitioner

Vs.

1.State Rep by
The Commissioner of Police,
Trichy City, Trichy.

2.The Inspector of Police,
Fort Police Station,
Trichy City, Trichy.
(Crime No.537 of 2021)

3.The Inspector of Police,
CBCID, Trichy.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the second respondent to transfer the investigation in Crime No. 537 of 2021 on the file of the second respondent police to the third respondent or to any other Agency or any other Competent Officer.

For Petitioner : No Appearance

For Respondents : Mr.M.Muthumanikkam
Government Advocate (Crl.Side)

**ORDER**

This petition has been filed to direct the second respondent to transfer the investigation in Crime No.537 of 2021 on the file of the second respondent police to the third respondent or to any other Agency or any other Competent Officer.

2.It is seen that this petition has been filed on the ground that proper offences were not added in the FIR and no action was taken against the accused.

3.The case of the prosecution is that the petitioner is running a work shop for making gold rings on receipt of orders from various jewel shops. One Radhakrishnan was an employee under the petitioner. On 03.04.2021, at about 11.30 a.m, the petitioner gave 250 grams gold bar to the said Radhakrishnan for making gold rings and left from the work shop to take orders from jewel shops. Thereafter, when he coming to work shop at about 04.30 p.m, he found that the said Radhakrishnan was found missing and also the gold bar. Hence, the complaint.



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4.The learned Government Advocate (Crl.Side) would submit that there are totally four accused. Among the four accused, the first accused was arrested by the respondent police and from his confession, recovery was made. He would further submit that on the complaint given by the petitioner/defacto complainant against the accused, the second respondent police registered a case in Crime No.537 of 2021 for the alleged offences under Sections 406 and 420 of IPC. After completion of investigation, final report was filed before the learned Judicial Magistrate No.I, Trichy, and the same has been taken on file in C.C.No.646 of 2023 for the offences under Sections 406, 420, 120(B), 294(b) and 381 of IPC.

5.Recording the said submission, this Criminal Original Petition is closed.

22.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
dss



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K.K.RAMAKRISHNAN, J.

dss

To

1. The Commissioner of Police,
Trichy City, Trichy.
2. The Inspector of Police,
Fort Police Station,
Trichy City, Trichy.
3. The Inspector of Police,
CBCID, Trichy.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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