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Crl.O.P.(MD)No.15645 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.09.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.15645 of 2023
and Crl.M.P(MD).No.12437 of 2023

Pappa

... Petitioner

Vs.

1.The Superintendent of Police,
Thoothukudi District.

2.The Deputy Superintendent of Police,
Puliyampatti,
Thoothukudi District.

3.The Inspector of Police,
Naraikinaru Police Station,
Thoothukudi District.

4.The Inspector of Police,
CBCID,
Thoothukudi District.

..Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents to withdraw the investigation in Crime No.18 of 2023 on the file of the third respondent and entrust the investigation to the fourth respondent under the supervision of any other Senior level Independent Police Officer.



Crl.O.P.(MD)No.15645 of 2023

For Petitioner : Mr.V.Sorimuthu
For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed seeking for transfer of investigation in Crime No.18 of 2023 pending on the file of the third respondent to the fourth respondent under the supervision of any Senior Level independent Police Officer.

2. It is submitted by the learned counsel appearing for the petitioner that on a complaint given by the petitioner, the Police have registered a case in Crime No.18 of 2023 for the offence punishable under Sections 457 and 380 IPC and during the course of investigation, the accused Nos.2 and 3 were arrested and produced before the Court. It is submitted further that the accused No.1 in this case though was called to the Police Station, was released on execution of a bond and thereby, she sought for a direction to transfer the investigation.



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3. The learned Additional Public Prosecutor appearing for the official respondents submits that on account of health grounds, the accused No.1 was asked to execute a bond and accordingly, he has executed the bond. The accused Nos.2 and 3 were arrested and from A2, eight sovereigns of gold and a sum of Rs.26,500/- were recovered and from A3, five sovereigns of gold and a sum of Rs.13,500/- were recovered and from A1, four sovereigns of gold and a sum of Rs.7,500/- were recovered. It is also reported that the Police have completed the investigation and the charge sheet is ready and once the opinion is taken from the learned Additional Public Prosecutor, the respondents Police would file the charge sheet.

4. Since the Police have completed the investigation and recovered the stolen properties, the request of the petitioner for transfer of investigation cannot be considered. Accordingly, this Criminal Original Petition is disposed of directing the respondents Police to file the charge sheet within a period of four weeks from the date of receipt of a copy of this order. Connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
ssb

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To

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- 4.The Inspector of Police,
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Thoothukudi District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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DR.D.NAGARJUN. J.

ssb

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