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Crl.O.P. No.1346 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2024

CORAM :

THE HON'BLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P. No.1346 of 2024

Prema

Petitioner

vs.

1 The Deputy Inspector General of Police
Villupuram – Cuddalore
Villupuram District

2 The Superintendent of Police
Cuddalore District
Cuddalore

3 The State represented by its
Inspector of Police
Veppur Police Station
Cuddalore District
(Cr. No.362 of 2023)

Respondents

Criminal Original Petition filed under Section 482 Cr.P.C. seeking to transfer the investigation pending in Cr. No.362 of 2023 on the file of the third respondent police to the CB-CID or any other competent agency to conduct a fair investigation and file appropriate charge sheet against the accused.

For petitioner
For respondents

Ms. Raji
Mr. S. Udayakumar
Govt. Advocate (Crl. Side)



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ORDER

The petitioner, who has lost 29 sovereigns of gold jewellery and cash of Rs.50,000/-, suspecting her relative by name Karthik, gave a complaint on 27.10.2023 to the third respondent police. Alleging that in spite of the police registering an FIR on 01.11.2023 in Cr.No.362 of 2023 for the offences under Sections 457 and 380 IPC and the petitioner also disclosing the suspected person, the third respondent police has not taken action, this criminal original petition is filed seeking transfer of investigation to the CB-CID or any other appropriate agency.

2. The Inspector of Police has filed a status report dated 13.02.2024, wherein, it is stated that soon after receipt of the complaint from the petitioner, the said Karthik was enquired and his finger print also was also compared with the finger prints lifted from the scene of occurrence. Seven witnesses, including the petitioner/*de facto* complainant were interrogated and their statements were recorded. The said Karthik has stated that he is innocent. He has further stated that being a relative of the petitioner/*de facto* complainant, he used to go to her house on her request, to help her.



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3. It is further averred in the status report of the third respondent police that the details of the suspected persons were also called for and compared and still, the third respondent police is clueless. The Investigating Officer has further stated that sincere efforts are being taken to secure the accused person and recover the stolen jewellery and cash.

4. From a perusal of the status report, this Court finds that the third respondent police has done his best to trace the accused. It is further seen that the one who was suspected by the petitioner/*de facto* complainant was found innocent since his finger prints were not found in the scene of occurrence nor the call detail records supported the suspicion of the petitioner/*de facto* complainant.

5. Thus, when the third respondent police has done his best to trace the accused with the available clue but in vain, the petitioner's prayer for transfer of investigation cannot be granted.



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6. Since it is stated in the status report that a team has been constituted to secure the accused and if any information regarding the theft comes to light, the same will be informed to the petitioner/*de facto* complainant, recording the said averment, this criminal original petition is disposed of.

16.08.2024

cad



To:

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- 1 The Deputy Inspector General of Police
Villupuram – Cuddalore
Villupuram District
- 2 The Superintendent of Police
Cuddalore District
Cuddalore
- 3 The Inspector of Police
Veppur Police Station
Cuddalore District
- 4 The Public Prosecutor
High Court of Madras
Chennai 600 104



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DR. G. JAYACHANDRAN, J.

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