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Crl.R.C.No.759 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE **M.DHANDAPANI**

Crl.R.C.No.759 of 2024

Thirunavukarasu

... Petitioner

Vs.

- 1.The Commissioner of Police,
Office of the Commissioner of Police,
Coimbatore.
- 2.The Inspector General of Police,
Office of the Inspector General of Police,
Coimbatore West Zone,
Coimbatore.
- 3.The Assistant Commissioner of Police,
Office of the Assistant Commissioner of Police,
Coimbatore.
- 4.The Inspector of Police,
C-2, Race Course Police Station (Crime).
Coimbatore.

... Respondents

Prayer: Criminal Revision case has been filed under Section 397 r/w 401 of Cr.P.C, to set aside the order dated 10.08.2023 passed by the learned Judicial Magistrate III, Coimbatore in Crl.M.P.No33686 of 2023 in Cr.No.48 of 1996 by allowing the revision.



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For Petitioner : Mr.B.Chandran

For Respondents : Mr.A.Gopinath
Government Advocate (Crl. Side)

ORDER

This Criminal revision has been filed seeking to quash the order dated 10.08.2023 passed by the learned Judicial Magistrate III, Coimbatore in Crl.M.P.No33686 of 2023 in Cr.No.48 of 1996 by allowing the revision.

2. The learned counsel for the petitioner would submit that on 08.01.1996, while the petitioner was travelling in the Tiruvalluvar Transport Bus along with his family, his suit case, which contains Rs.34,400/- cash and 16 sovereign of gold was found to be missing. Immediately, the petitioner lodged a complaint before the 4th respondent. Based on the said complaint, the respondent police registered a case in Cr. No.48/1996. As the respondent has not taken any steps to recover the property, the petitioner has filed a petition before the learned Judicial Magistrate-I, Coimbatore in Crl.MP.No.33686 of 2023 and the same was dismissed. Therefore, the learned counsel prays that this Court may quash the impugned order and direct the respondent police to recover the stolen property.



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3. The learned Government Advocate submitted that the case has been registered in the year 1996 and enquiry has been conducted. However, the property has not been recovered. Therefore, the trial Court was dismissed the case which was filed by the petitioner.

4. In view of the above, the revision is dismissed and liberty is granted to the petitioner to file a fresh petition if the properties are recovered in future from the accused and work out his remedy in the manner known to law.

16.04.2024

Index:Yes/No
Speaking/Non speaking order
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To

- 1.The Judicial Magistrate III, Coimbatore.
- 2.The Public Prosecutor,
High Court, Madras.



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M.DHANDAPANI.J.

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