



WEB COPY



Crl.O.P.11035 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.06.2024

CORAM

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Crl.O.P.No.11035 of 2024

M.Ganesan

.... Petitioner

Versus

The State by
Rep. by the Inspector of Police (Crime),
R4, Pondy Bazaar Police Station.
(Crime No.140 of 2023)

.... Respondent

Prayer: The Criminal Original Petition is filed under Section 482 of Cr.P.C. to issue a direction to reinvestigate the case in C.C.No.169 of 2024 to conduct a proper and detailed investigation and facilitate the recovery of the stolen money from the accused and file an appropriate charge sheet before the trial Court.

For Petitioner : Mr.V.Vidyesh

For Respondent : Mr.Udaya Kumar
Government Advocate (Crl.Side)

- - - - -



Crl.O.P.11035 of 2024

ORDER

WEB COPY

The petitioner is the defacto complainant in Crime No.140 of 2023 alleging that the Investigating Officer has not properly investigated the case and filed a final report, which has been taken on file by the Judicial Magistrate in C.C.No.169 of 2024, is before this Court for direction to reinvestigate the case.

2. The perusal of the complaint in Crime No.140 of 2023 discloses the crime of breach of trust and cheating besides theft and fabrication of account. Particularly, the complaint says that the diamond jewels of the petitioner/ Company was delivered to dealers at Thiruvannamalai and Chidambaram. The value of the jewels was received by cash by one Anbarasan and the same has not been properly remitted to the accounts of the petitioner/Company, but, on falsification of the account, money has been misappropriated and the investigation had disclosed that the accused has lost money on online gambling.

3. While so, without proper investigation regarding the money



Crl.O.P.11035 of 2024

entrusted to the accused Anbarasan and the falsification of the account by him, a final report has been filed. This Court finds that the allegation made in the petition is substantially correct and perfunctory investigation leading to filing of final report be deprecated. Hence, the respondent police is directed to conduct reinvestigation of the case and file a fresh final report in accordance with law collecting all the necessary evidence.

With the above direction, this Criminal Original Petition is disposed of.

28.06.2024

asi

To

1. The Inspector of Police (Crime),
R4, Pondy Bazaar Police Station.
2. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.O.P.11035 of 2024

DR.G. JAYACHANDRAN, J.

asi

Crl.O.P.o.11035 of 2024

28.06.2024