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CrI.O.P.No.20909 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.20909 of 2024

Kamalam.

... Petitioner

/versus/

1.The Superintendent of Police, Coimbatore District.

2. The Deputy Superintendent of Police,
Karumathampatti,
Coimbatore District.

3. The Inspector of Police,
Karumathampatti Police Station,
Coimbatore District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS., to direct the 1st and 2nd respondents to transfer the case in Crime No.258 of 2024 on the file of the 3rd respondent police to any other competent authority to investigate the case in fair and speedy manner and to file final report.

For Petitioner : Ms.S.Rithika

For Respondents : Mr.S.Udaya Kumar,
Government Advocate (CrI.Side).



Crl.O.P.No.20909 of 2024

ORDER

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This Criminal Original Petition is filed to transfer the case in Crime No.258 of 2024 on the file of the 3rd respondent police to any other competent authority to investigate the case.

2. The complaint given to the 3rd respondent regarding theft of material kept in the container worth Rs.5 lakhs along with CCTV footage though registered in Crime No.258 of 2024 on 10.06.2024, no investigation been done by the 3rd respondent, hence the defacto complainant is before this Court seeking transfer of investigation.

3. The Learned Government Advocate (Crl.Side) for the respondent states that since the dispute is between the family members, the police has not taken any hasten action on the complaint.

4. This Court is unable to countenance such submissions. The 3rd respondent who is supposed to investigate the matter based on the information and evidence given, has failed to discharge his duty. Hence, it is appropriate to direct the 1st respondent/Superintendent of Police, Coimbatore to transfer the investigation of the case to some other Police Officer, who will be competent to



CrI.O.P.No.20909 of 2024

investigate the matter.

WEB COPY

5. Accordingly, this Criminal Original Petition is allowed.

29.08.2024

Index : Yes/No.

Neutral Citation : Yes/No.

bsm

To:-

1. The Superintendent of Police, Coimbatore District.

2. The Deputy Superintendent of Police, Karumathampatti,
Coimbatore District.

3. The Inspector of Police, Karumathampatti Police Station,
Coimbatore District.

4. The Public Prosecutor, High Court, Madras.



WEB COPY



CrI.O.P.No.20909 of 2024

Dr.G.JAYACHANDRAN, J.

bsm

CrI.O.P.No.20909 of 2024

29.08.2024