



Crl.O.P.(MD) No.1401 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2024

CORAM

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.1401 of 2024

M.Sulaiman Sait

...Petitioner

Vs.

1.The Superintendent of Police

**Office of Superintendent of Police,
Ramanathapuram District.**

2.The Deputy Superintendent of Police,

**Office of the Deputy Superintendent of Police,
Paramakudi Taluk, Ramanathapuram District.**

3.The Inspector of Police

**Paramakudi Nagar Police Station,
Paramakudi Town,
Ramanathapuram District.**

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the first Respondent to transfer the investigation in Crime No.9 of 2021 dated 08.01.2021 on the file of the third Respondent to the second Respondent and the second Respondent to investigate further and to file final report by considering the Petitioner's complaint dated 05.01.2024, within the time stipulated by this Court.



Crl.O.P.(MD) No.1401 of 2024

For Petitioner : Mr.S.Atham Ali

For Respondents : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The learned Counsel for the Petitioner submits that the Petitioner had filed this Petition seeking transfer of investigation of F.I.R in Crime No.9 of 2021.

2. The learned Additional Public Prosecutor submits that the investigation had already been completed and final report was laid before learned Judicial Magistrate, Paramakudi.

3. The learned Counsel for the Petitioner submits that the two wheeler bearing Registration No.TN-65-AX-4644 was stolen and subsequently, he came to know that it was purchased through public auction conducted by the Police.

4. Considering the submission of the learned Counsel for the Petitioner, the learned Judicial Magistrate, Paramakudi, is directed to hold



Crl.O.P.(MD) No.1401 of 2024

an enquiry, after hearing the learned Counsel for the Petitioner before this Court as Defacto complainant in R.C.No.11/2022. Only after hearing the Defacto Complainant regarding the vehicle theft and subsequently, the same vehicle had been sold by the Police in public auction by different person, the charge sheet filed in R.C.No.11/2022 shall be taken on file, after hearing the Petitioner, viz., Sulaiman Sait, son of Mohamed Rabi, resident of No. 12/338, Thiruvalluvar Nagar, Paramakudi Taluk, Ramanathapuram District. Only after hearing the Defacto complainant, the R.C.S/final report laid shall be considered or taken on file. The learned Judicial Magistrate, Paramakudi, shall also pass appropriate orders, regarding further investigation/re-investigation.

4. With the above directions, this ***Criminal Original Petition*** is disposed of.

Internet:Yes./No
Index:Yes/No
NCC : Yes/No
Ls

31.01.2024



Crl.O.P.(MD) No.1401 of 2024

SATHI KUMAR SUKUMARA KURUP, J.

LS

To

- 1.The Superintendent of Police
Office of Superintendent of Police,
Ramanathapuram District.
- 2.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Paramakudi Taluk, Ramanathapuram District.
- 3.The Inspector of Police
Paramakudi Nagar Police Station,
Paramakudi Town, Ramanathapuram District.
- 4.The Judicial Magistrate,
Paramakudi, Ramanathapuram District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

CRL.O.P (MD) No.1401 of 2024

31.01.2024