



Crl.O.P.(MD) No.1701 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.03.2024

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THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.1701 of 2024

Sakkarai @ Anthony Raja

...Petitioner

VS

**1.The Inspector General of Police,
Tirunelveli Circle,
Tirunelveli District.**

**2.The Deputy Inspector General of Police,
Tirunelveli Circle,
Tirunelveli District.**

**3.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.**

**4.The Deputy Superintendent of Police,
Vilathikulam,
Thoothukudi District.**

**5.The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.**

...Respondents



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PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the respondents 1 to 3 to monitor the investigation in Crime No.123 of 2023 pending on the file of the fifth respondent police, and consequently, to direct the respondents 1 to 3 to appoint a competent officer not below the rank of DSP to conduct a fair and proper investigation.

For Petitioner : Mr.E.Mareeskumar

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (CrI.side)

ORDER

The learned counsel for the petitioner submits that the petitioner had filed this petition seeking direction against the Respondents 1 to 3 to monitor the investigation in Crime No.123 of 2023. It is the submission of the learned counsel for the petitioner that the Kalyana Mandapam built in the village with the contributions from the villagers was demolished and Rs. 35,00,000/- collected from the villagers for emergency use was also taken away by the persons mentioned in the FIR. Even though the Complainant had stated the names of the accused, the Police had not recovered the money or arrested the accused. Therefore, he was forced to file this petition seeking direction to monitor the investigation.



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2.The learned Government Advocate (Crl.side), on instructions of the respondents, would submit that three persons, by name, Azhagarsami, Sivakumar and Velmurugan were arrested. The first accused is still absconding. They had formed a special team to arrest the main accused and to recover the money from him.

3.Considering the submission made by the learned Government Advocate (Crl.side), the third respondent/Superintendent of Police, Thoothukudi District is directed to nominate a senior officer in the cadre of Deputy Superintendent of Police to continuously monitor the investigation and lay the final report. The third respondent is also directed to verify whether the investigation carried out by the fifth respondent/the Inspector of Police, Soorankudi Police Station, Thoothukudi District till date had been impartial. If not, the third respondent may withdraw the case in Crime No. 123 of 2023 from the file of the fifth respondent and entrust it to a person, who is impartial in investigation and see to it that the investigation is completed at the earliest. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order.



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With the above directions, this Criminal Original Petition is disposed

of.

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To

- 1.The Inspector General of Police,
Tirunelveli Circle,
Tirunelveli District.
- 2.The Deputy Inspector General of Police,
Tirunelveli Circle,
Tirunelveli District.
- 3.The Superintendent of Police,
Thoothukudi,
Thoothukudi District.
- 4.The Deputy Superintendent of Police,
Vilathikulam,
Thoothukudi District.
- 5.The Inspector of Police,
Soorankudi Police Station,
Thoothukudi District.
- 6.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SATHI KUMAR SUKUMARA KURUP, J.

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