



Crl.O.P.(MD)No.2626 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 07.06.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.2626 of 2024

Saraswathi

... Petitioner

Vs.

1.The Superintendent of Police,
Theni.

2.The Deputy Superintendent of Police,
Uthamapalayam.

3.The Inspector of Police,
Gudalur North Police Station,
Theni District.
(Crime No.239 of 2023)

... Respondents

(R1 and R2 are suo-motu impleaded as per order of this Court dated 20.02.2024 in Crl.O.P.(MD)No.2626 of 2024)

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the third respondent Police to file charge sheet / final report within a time frame as fixed by this Court in Crime No.239 of 2023 dated 29.08.2023 on the file of the third respondent Police.



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For Respondents : Mr.P.Kottaichamy,
Government Advocate(Crl.side)

ORDER

This criminal original petition has been filed to direct the respondent Police to file charge sheet / final report in Crime No.239 of 2023 dated 29.08.2023, within a time frame.

2.The case of the petitioner is that eight sovereigns of gold jewels and a sum of Rs.9,00,000/- were found missing from the petitioner's house and hence, she lodged a complaint before the third respondent. Based on the same, a case in Cr.No.239 of 2023 has been registered for the offence under Section 379 IPC. The said case is pending on the file of the third respondent, without any progress and hence, the petitioner has approached this Court seeking a direction to file a final report in the above said case.

3.It appears that the third respondent Police has not conducted the investigation in Cr.No.239 of 2023 properly, and hence, this Court, by an order dated 20.02.2024, *suo motu* impleaded the Superintendent of



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Police, Theni and the Deputy Superintendent of Police, Uthamapalayam

as respondents and directed for transfer of investigation to some other Senior Officer. Even after orders of this Court dated 20.02.2024, there is no progress in the investigation, and therefore, this Court, by an order dated 03.06.2024, directed the Deputy Superintendent of Police, Uthamapalayam to be present before this Court along with CD file and file a report as to the stage of the investigation in Cr.No.239 of 2023.

4.Today, when the matter is taken up for hearing, Mr.Senguttuva Velvan, Deputy Superintendent of Police, Uthamapalayam is present before this Court and has produced a proceedings of the Superintendent of Police, Theni in RC.No.C2/15063/240/2024 dated 06.06.2024. He further states that the investigation in Cr.No.239 of 2023 has been withdrawn from the file of the third respondent and the Inspector of Police, Cumbum North Police Station, Cumbum is nominated to investigate the above said case and further, the Superintendent of Police has also directed him to monitor the case and he is also monitoring the case. He has also placed a report before the Superintendent of Police, Theni as against the third respondent herein to initiate necessary action.



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5.Recording the statements of the Deputy Superintendent of Police,
this criminal original petition is closed with a hope that the investigation
would be conducted in a proper manner.

07.06.2024

NCC : Yes/No
Index : Yes/No
Internet:Yes
gns

To

- 1.The Superintendent of Police,
Theni.
- 2.The Deputy Superintendent of Police,
Uthamapalayam.
- 3.The Inspector of Police,
Gudalur North Police Station,
Theni District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI,J

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