



Crl.O.P.(MD)No.5626 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2024

CORAM:
THE HONOURABLE MR.JUSTICE M.DHANDAPANI
Crl.O.P.(MD) No.5626 of 2022

R.Megala

... Petitioner

Vs.

1.State Represented through
The Director General of Police,
D.G.P. Office,
Radhakrishnan Salai,
Chennai.

2.The Superintendent of Police,
Theni District, Theni.

3.The Inspector of Police,
Bodinayakkanur Police Station,
Theni.
(Crime No.371 of 2018)

4.The Deputy Superintendent of Police,
Crime Branch Crime Investigation Department,
C.B.C.I.D., Theni District.

... Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the first respondent to withdraw the case in Crime No.371 of 2018 pending on the file of the third respondent and entrust the same to the fourth respondent for fair investigation and direct to file the final report within a time frame fixed by this Court.



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For Petitioner : Mr.M.Vivekkumar

For Respondents : Mr.S.Manikandan
Government Advocate (Crl. side)

ORDER

This petition has been filed seeking to direct the first respondent to withdraw the case in Crime No.371 of 2018 pending on the file of the third respondent and entrust the same to the fourth respondent for fair investigation and direct to file the final report within a time frame fixed by this Court.

2.The case of the petitioner is that she is the wife of one Ramesh and her husband was found missing and she made a complaint before the third respondent police and the same was registered in Crime No.371 of 2018. However, the third respondent has not able to trace the petitioner's husband. Hence, the petitioner has filed the present petition for transfer of investigation.

3.The learned counsel appearing for the petitioner would submit that this Court may issue a direction to the third respondent police to conclude the investigation by tracing out the petitioner's husband and the same may be monitored by the fourth respondent.

4.The learned Government Advocate (Criminal Side) would submit that pursuant to the direction of this Court, dated 15.02.2024, the second respondent

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police filed a report stating that three witnesses were examined and they are taking earnest steps to trace the petitioner's husband and hence, this Court may issue a direction to the third respondent police to complete the investigation within a reasonable time as fixed by this Court.

5.In view of the above, this Criminal Original Petition stands disposed of with a direction to the third respondent Police to conclude the investigation in Crime No. 371 of 2018 within a period of six months from the date of receipt of a copy of this order. The investigation shall be monitored by the (*)**second** respondent.

Sd/-

Assistant Registrar(W)

(*)Corrected as per the order of this court dated 20.06.2024 made in CRL OP(MD)No.5626 of 2022.

Sd/-

Assistant Registrar(W)

// True Copy //

/07/2024

Sub Assistant Registrar()

Sji
To

To be substituted to the order which is already despatched on 21.05.2024

1.The Director General of Police,

D.G.P. Office,

Radhakrishnan Salai,

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- 2.The Superintendent of Police,
Theni District, Theni.
- 3.The Inspector of Police,
Bodinayakkanur Police Station,
Theni.
- 4.The Deputy Superintendent of Police,
Crime Branch Crime Investigation Department,
C.B.C.I.D., Theni District.
- 5 The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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MK/30.04.2024 4P 6C

MK/18.07.2024 4P 6C

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