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Crl.O.P.(MD)No.16207 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16207 of 2024

T.Kumaresan

: Petitioner/Defacto
complainant

Vs.

1.The Superintendent of Police,
Kanyakumari District.

2.The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.

: Respondents

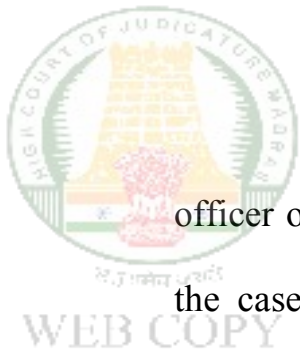
PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the first respondent to change the investigating officer other than the second respondent to do the further investigation in the case pertaining to Crime No.57 of 2019 on the file of the second respondent herein.

For Petitioners : Mr.S.Ramasamy

For Respondents : Mr.P.Kottai Chamy,
Government Advocate (Criminal Side)

ORDER

This Criminal Original Petition filed, under Section 528 of BNSS., seeking orders, to direct the first respondent to change the investigating



officer other than the second respondent to do the further investigation in the case pertaining to Crime No.57 of 2019 on the file of the second respondent herein.

2. It is seen from the records that on the basis of the complaint lodged by the petitioner, FIR came to be registered in Crime No.57 of 2019 for the alleged offence under Sections 454, 457 and 380 of IPC.

3. The learned counsel for the petitioner would submit that the second respondent, after completing the investigation has filed the negative final report as 'undetected' before the jurisdictional Court and that the petitioner has filed an application seeking further investigation in Crl.M.P.No.3514 of 2024 and the learned Judicial Magistrate, vide order, dated 25.07.2024, directed the second respondent to proceed further investigation and file a final report within a period of three months from the date of receipt of copy of that order.

4. The learned counsel for the petitioner would submit that though the petitioner, after coming to know that his jewels were pledged in a private pawn shop, has informed the same to the second respondent, but he has not taken any action.



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5. The learned Government Advocate (Criminal Side) appearing for the State would submit that further investigation is in progress.

6. Recording the same, the second respondent is directed to proceed with the investigation by taking note of the information furnished by the petitioner and complete the investigation and file final report as directed by the learned trial Judge and the Deputy Superintendent of Police, Kanyakumari Sub Division, Kanayakumari, District, is directed to monitor the investigation.

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

26.09.2024

NCC : Yes/ No
Index : Yes/No
Internet : Yes/ No
das



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K.MURALI SHANKAR,J.

das

To

- 1.The Superintendent of Police,
Kanyakumari District.
- 2.The Deputy Superintendent of Police,
Kanyakumari Sub Division,
Kanyakumari District.
- 3.The Inspector of Police,
Rajakkamangalam Police Station,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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