



Crl.O.P.No.3200 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.3200 of 2024

M.Prakash

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Petitioner

Vs

1. The Superintendent of Police,
Salem,
Salem District.

2. The Deputy Superintendent of Police,
Omalur,
Salem District.

3. The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam,
Salem District.

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Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Code of Civil Procedure, to call for the records in S.C.NO.223 of 2024 on the file of the IV Additional District and Sessions Judge, Ponneri and quash the same.

For Petitioner : Mr.M.Devaraj

For Respondents : Mr.K.M.D.Muhilan
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed seeking a direction to the first respondent to transfer the investigation of the case in Crime No.621 of 2022 dated 08.12.2022 from the file of the third respondent to some other investigating agency, preferably CBCID Police.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. Based on the complaint lodged by the petitioner, the third respondent registered an FIR in Crime No.621 of 2022 for the offences under Sections 380 and 457 of IPC, alleging that the petitioner discovered his door lock was broken and 24 ½ sovereigns of gold jewels were found missing.

4. On instructions, the learned Government Advocate (Crl.Side) submitted that the investigation is under progress in the case of theft and that the respondent has yet to trace the accused. Therefore, at this stage, transferring the investigation to any other investigation agency would affect the investigation already done by the third respondent. That apart, there are allegations as against the third respondent in respect of the investigation conducted by him.



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5. In view of the above, this Court finds no grounds to transfer

the investigation from the file of the third respondent to any other investigating agency. Hence, this Criminal Original Petition stands dismissed. However, the third respondent is directed to complete the investigation and file a final report within a period of three months from the date of receipt of a copy of this order.

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Index: Yes/No

Internet: Yes/No

To

1. The Superintendent of Police,
Salem,
Salem District.

2. The Deputy Superintendent of Police,
Omalur,
Salem District.

3. The Inspector of Police,
Tharamangalam Police Station,
Tharamangalam,
Salem District.

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN,J.

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