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CrI.O.P.No.21496 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.21496 of 2025

S.Munusami

... Petitioner

Vs.

The State Rep.by
The Inspector of Police (Crime),
C-1, Uthukottai Police Station,
Tiruvallur District – 602 026.

... Respondent

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to transfer the investigation in F.I.R.No.266/2022 to Crime Branch CID or any other competent authority.

For Petitioner : Mr.A.Venkatesaperumal

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (CrI.Side)

ORDER

This Criminal Original Petition is filed seeking a direction to transfer the investigation in F.I.R.No.266 of 2022 to Crime Branch CID or any other competent authority.



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2. The petitioner is the *de-facto* complainant, who lodged a complaint on 05.09.2022 before the respondent-Police alleging that certain valuable jewels had been stolen from his residence. Pursuant to the said complaint, the respondent Police registered a First Information Report in Crime No.266 of 2022 on 05.09.2022 for the offences punishable under Sections 457 and 380 IPC. However, according to the petitioner, the investigation is pending without any progress for more than 2 years. In such circumstances, the petitioner has approached this Court seeking transfer of the investigation.

3. Learned Government Advocate (Crl.Side) appearing for the respondent-Police, on instructions, submitted that the investigation had been completed and that the complaint had been closed by the respondent-Police on 11.05.2023 as "un-detected". It was further submitted that the closure report had been filed through e-filing on 30.07.2025 before the learned Judicial Magistrate, Uthukottai, but RCS notice has not yet been served on the complainant. Hence the Superintendent of Police, Tiruvallur District has taken departmental action against the concerned investigating officer by issuing show cause notice on 30.07.2025.



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4. Recording the above submission, this Criminal Original Petition

is dismissed with a direction to the learned Judicial Magistrate, Uthukottai, to issue RCS notice to the petitioner and on receipt of the same, the petitioner is at liberty to work out his remedy in the manner known to law by way of filing protest petition, if he so desires.

31.07.2025

Index : Yes/No

Neutral Citation Case : Yes/No

Speaking Order : Yes/No

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To

1. The Judicial Magistrate,
Uthukottai.
2. The Inspector of Police (Crime),
C-1, Uthukottai Police Station,
Tiruvallur District – 602 026.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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