



CRL OP(MD). No.17677 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 15/10/2025

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

CRL OP(MD). No.17677 of 2025

M.Sathya

Vs

... Petitioner

1.The Superintendent of Police,
O/o. the Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Thalaiyuthu,
Tirunelveli District..

3.The Inspector of Police,
Manur Police Station,
Tirunelveli District.
Cr.No.444/2025.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to transfer the investigation for the case in Crime No.444 of 2025 on the file of the respondent No.3 and entrust the same to respondent No. 2 to conduct fair and proper enquiry regarding the theft of gold ornaments weighting 104 (13 Sovereigns) grams by considering the petitioner's representation dated 11.09.2025.



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For Petitioner : Mr.I.Pinaygash,

For Respondents : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

The petitioner seeks the transfer of investigation in Crime No.444 of 2025 on the file of the third respondent and entrust the same to the second respondent to conduct a fair and proper enquiry.

2.The petitioner had lodged a complaint in Crime No.444 of 2025 dated 11.05.2025, for the offence under Section 305 of BNS (corresponding to 380 IPC) stating that gold ornaments weighing 104 grams, cash of Rs.500 and a cell phone worth about Rs13,000/- were stolen and that the respondents have so far recovered only 59.5 grams and the remaining jewels have not been recovered till date.

3.The learned Additional Public Prosecutor appearing for the respondents would submit that the respondents have taken effective steps and have so far recovered 59 grams and that the investigation cannot be transferred merely because a portion of the stolen property has not been recovered.



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4.This Court is in agreement with the submissions made by the learned Additional Public Prosecutor that merely because a portion of the stolen property has not been recovered so far, the investigation cannot be transferred. Admittedly, the respondents have recovered 59 grams of gold and Rs.4,500/- so far and have produced the same before the learned Judicial Magistrate. The respondents shall conclude the investigation in Crime No.444 of 2025 and file a final report within a period of three months from the date of receipt of a copy of this order.

5.With the above observation, this Criminal Original Petition is disposed of.

15.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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To

1. The Superintendent of Police,
O/o. the Superintendent of Police,
Tirunelveli District.

2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Thalaiyuthu, Tirunelveli District.

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3.The Inspector of Police,
Manur Police Station,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai

ORDER
IN
CRL OP(MD) No.17677 of 2025

Date : 15/10/2025