



CRL OP(MD). No. 22668 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 11.06.2026

CORAM

THE HONOURABLE MR. JUSTICE P. DHANABAL

CRL OP(MD). No. 22668 of 2023

K.Periyakaruppan

... Petitioner

Vs

1. The Superintendent of Police
Madurai.

2.The Inspector of Police
Kottampatti Police Station
Kottampatti
Madurai.

Crime No.225 of 2023

... Respondents

PRAYER :-

To withdraw and transfer the investigation in Crime No.225 of 2023 on the file of the 2nd respondent to the Inspector of Police, District Crime Branch, Madurai or the Inspector of Police, CBCID, Crime Investigation Department, Madurai or any other competent authority.

For Petitioner : M/s.B.S.Meltiue
Advocate.

For Respondents : Mr.N.Balasubramanian
Counsel for State of TN



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ORDER

This petition has been filed to withdraw and transfer the investigation in Crime No.225 of 2023 on the file of the 2nd respondent to the Inspector of Police, District Crime Branch, Madurai or the Inspector of Police, CBCID, Crime Investigation Department, Madurai or any other competent authority.

2. According to the petitioner/defacto complainant, he lodged a complaint before the second respondent for theft of 1.5 lakhs and thereafter, they registered a case in crime No.225 of 2023 for the offences under Section 379 of IPC and after registration of FIR, they not even conducted proper investigation and the petitioner also submitted a harddisc and CCTV camera to the second respondent. Thereafter also, no effective steps have been taken. Thereafter, the petitioner addressed the complaints dated 17.07.2023 and 14.08.2023 to the first respondent, but no action was taken. In the meantime, the second respondent called the



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petitioner and threatened him to not press the complaints. Now, they closed the complaint as untraceable. Since they cannot close the case as untraceable, she prays to transfer the investigation to some other agency.

3. The learned Counsel for State of TN (Crl.Side) would submit that based on the complaint lodged by the petitioner, they registered the case in Crime No.225 of 2023 for the offences under Section 379 of IPC. Thereafter, they conducted proper investigation. As per the investigation, they unable to trace out the accused, thereby they filed referred charge sheet as untraceable before the jurisdictional Magistrate through RCS No.212 of 2026 and also sent notice to the petitioner and the case is posted by the jurisdictional Magistrate on 14.05.2026 and now, posted on 19.09.2026. Therefore, he prays to dismiss the petition.

4. Heard both sides and perused the records.



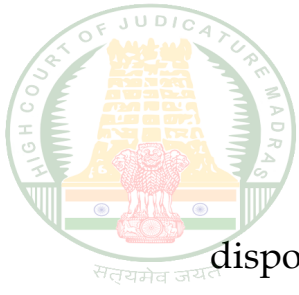
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5. In this case, it is an admitted fact that based on the complaint lodged by the petitioner, the case in Crime No.225 of 2023 for the offences under Section 379 of IPC has been registered as unknown accused. Thereafter, the second respondent closed the case as untraceable. The main contention of the petitioner is that already they entrusted CCTV footage to the second respondent police, but despite the same, no action has been taken to secure the accused. They did also not deny the CCTV footage given by the petitioner. Since the second respondent was unable to trace out the accused, closed the case as untraceable. Hence, it is appropriate to appoint another Investigation Officer to conduct investigation.

6. Accordingly, the first respondent is directed to appoint any other competent officer in this case to take appropriate action in accordance with law and to file final report within a reasonable time without any delay.

7. With the above direction, this Criminal Original Petition is



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disposed of.

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apd

TO

1. The Superintendent of Police
Madurai.

2. The Inspector of Police
Kottampatti Police Station
Kottampatti
Madurai.

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



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P. DHANABAL,J

apd

ORDER
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