

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 08.09.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

CRL.OP.No.20681 of 2015

Pulavar Patchaimuthu

... Petitioner

Vs

State rep by
Inspector of Police,
Hudco Police Station,
Hosur District.

... Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C.,
praying to direct the respondent to investigate the Crime No.28 of
2011 and to file a final report within a stipulated time.

For Petitioner : Mr.K.Balasubramaniam

For Respondent : Mr.C.Emalias, Addl. Public Prosecutor

O R D E R

This petition has been filed to direct the respondent to file a
final report in Crime No.28 of 2011 within a stipulated time.

2. Heard the learned counsel for the petitioner; learned
Additional Public Prosecutor for the respondent and perused the
materials placed on record.

3. Today, the respondent police filed a Status Report, wherein,
in paragraph Nos.10 to 15, it is stated as follows:

"10. It is submitted that during the course of
investigation, i.e., on 24.8.2015, I examined the following
witnesses and recorded their statements:

[1] Pulavar Pachamuthu who has purchased the same
property in dispute, from one Periyasamy, who is the power
of Attorney of Pastor Williams, made sale agreement and
towards the same, Pulavar Pachamuthu has paid an amount of
Rs.10lakhs towards advance amount.

[2] Periyasamy, who is the Power of Attorney of Pastor
Williams.

Both the above witnesses have stated about the facts of the case, i.e., Padmanaban created a fake documents and registered the same at SRO, Hosur in the name of Tr.Gopinath. They also corroborated the same version as stated by the defacto complainant, Pastor I.V.Williams in his complaint.

I also collected some of the relevant vital documents pertaining to the above case from the Pulavar Patchamuthu for the purpose of investigation.

11. It is submitted that so far the investigation reveals that the above said property in dispute was obtained by Pastor Williams through a Will from one Tr.Samuel during the year 1993. In turn, Power of Attorney was given to Tr.Periyasamy by Pastor Williams. In turn, the said property was obtained through a sale agreement by the said Pulavar Patchamuthu through Periyasamy, Power of Attorney of Pastor I.V.Williams.

12. It is submitted that the investigation further reveals that one Padmanaban, shown the bogus certificate to the effect that he is the legal heir of the said Pastor I.V.Williams and made sale agreement to Tr.Gopinath. Later, the revenue authorities cancelled the above said fake order of legal heir certificate dated 10.06.1993.

13. It is submitted that now the investigation is in a crucial stage. Still, the respondent police have to do the following:-

- Several witnesses, including the Sub Registrar Officer, Hosur and one Padmanaban have to be enquired in order to unearth the real facts of the case.

- Relevant vital documents are also to be collected from various levels including from the revenue authorities and Sub Registrar Office concerned for the purpose of investigation.

Hence, for the above said reasons, the case is still under investigation.

14. It is submitted that now, the petitioner moved this Hon'ble Court and filed a direction petition praying to direct the respondent police to file a final report within a stipulated time frame, with regard to Crime No.28/2011 on the file of the respondent police.

15. It is submitted that so far, the respondent police had conducted the investigation in a fair, free and impartial manner and also in accordance with law. The respondent police registered the case, investigated the same and now it is in a crucial stage for the reasons stated above."

4. In view of the above, the respondent police is directed to expeditiously complete the investigation in Crime No.28 of 2011 within a period of six months, from the date of receipt of a copy of this order.

With the above direction, this petition is closed.

gya

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

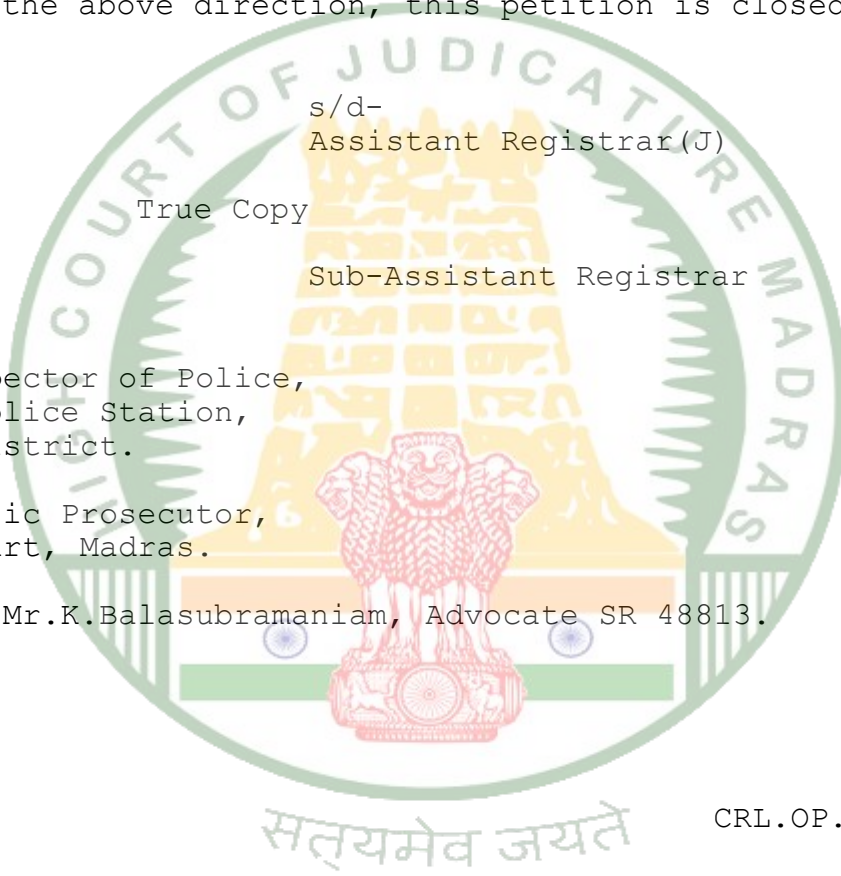
To

1.The Inspector of Police,
Hudco Police Station,
Hosur District.

2.The Public Prosecutor,
High Court, Madras.

+ 1 cc to Mr.K.Balasubramaniam, Advocate SR 48813.

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