

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2015

CORAM:

THE HON'BLE Mr.JUSTICE R.SUBBIAH

Cr1.O.P.No.29944 of 2015

Dhasthageer

... Petitioner

Vs.

1. The Superintendent of Police,
Thavalakuppam, Puducherry.

2. The Station House Officer,
Nettupakkam Police Station,
Puducherry.

... Respondents

Prayer :

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the respondent to file a final report in FIR No.43 of 2014 pending on the file of the 2nd respondent.

For Petitioner : Mr.M.Elumalai

For Respondent : Mr.V.Balamurugane

Additional Public Prosecutor (P)

ORDER

This petition is filed praying for a direction to the respondent to file a final report in FIR No.43 of 2014 pending on the file of the 2nd respondent.

2.The petitioner herein lodged a complaint with the respondent police on 07.06.2014 alleging that his brother Pravin Kumar was taking treatment in un-conscious stage and he has to be taken to Government General Hospital, Pondicherry for further treatment and on reaching the Government General Hospital, it was declared that Pravin Kumar was dead. Hence, a request was made to find out the cause of his death. In this regard, F.I.R. was registered under Section 174 of Cr.P.C. Though the complaint was registered as early as on 16.06.2014, for the past 1-1/2 years there is no progress in the investigation and final report has not been filed. Hence, this petition.

3.The learned counsel appearing for the petitioner would submit that in an earlier occasion, when this petitioner moved

this Court in Crl.O.P.No.24980 of 2014, seeking to transfer the investigation in respect of the case in Crime No.43 of 2014 from the file of Inspector of Police, Nettupakkam Police Station, Puducherry to the file of Crime Branch CID for investigation, this Court has directed the Superintendent of Police, Thavalakuppam, Puducherry to guide and monitor the investigation in Crime No.43 of 2014 and in spite of the same, there is no progress in the investigation.

4.Heard the learned counsel appearing for the petitioner as well as the learned Additional Public Prosecutor.

5.In view of the submissions made on either side, this Court directs the respondent police to expedite the investigation, complete the same and file final report as early as possible.

6.This Criminal Original Petition is ordered accordingly.

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-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1. The Superintendent of Police,
Thavalakuppam, Puducherry.

2. The Station House Officer,
Nettupakkam Police Station,
Puducherry.

3. The Public Prosecutor
Puducherry,
High Court, Madras.

+ 1 cc to Mr.M.Elumalai, Advocate SR 68369

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