

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :01.07.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.13841 of 2016

B.Uttamchand

..Petitioner

Vs.

1. The State rep.by
Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai - 600 007.

2. Inspector of Police,
Central Crime Branch,
Chennai City.

...Respondents

Prayer:- Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure to direct the 2nd respondent to file a final report with respect to Crime No.229 of 2007 dated 16.05.2007 on the file of 2nd respondent within the time frame fixed by the Hon'ble Court.

For Petitioner : Mr.Kaviyanathan
for M/s.Nathan and Associates

For Respondents : Mr.C.Emalias
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the 2nd respondent to file a final report with respect to Crime No.229 of 2007 dated 16.05.2007.

2. When the matter is taken up for hearing, the learned Additional Public prosecutor appearing for the respondents submitted that investigation in Crime No.229 of 2007 was completed as early as in March, 2010 and the final report was filed before the learned Judicial Magistrate, Poonamallee on 03.03.2010. The learned Magistrate has returned the final

report on 12.10.2010 on the ground that the surety details of the accused are not available with the Court.

3. In the considered opinion of this Court, that cannot be a reason for the Magistrate to return the final report. It is for the Magistrate to take steps to obtain the papers from the Court of V Metropolitan Magistrate Court, Egmore, where the accused seems to have furnished sureties.

Under such circumstances, the petitioner is directed to re-submit the final report within a period of four weeks from the date of receipt of a copy of this order and on such represent, the Magistrate shall take the same on file and pass orders in accordance with law.

In view of the above, the criminal original petition is closed.

sms

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The State rep.by
Commissioner of Police,
Greater Chennai Police,
No.132, Commissioner Office Building,
EVK Sampath Road,
Vepery, Chennai - 600 007.
 2. The Inspector of Police,
Central Crime Branch,
Chennai City.
 3. The Public Prosecutor,
High Court, Madras.
- + 1 cc to M/s.Nathan and Associates, Advocate Sr 37720

KR/13/7/16

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