

In the High Court of Judicature at Madras

Dated: 01.12.2016

Coram:

The Hon'ble Ms.Justice **R.MALA**

Contp.No.2762 of 2016
and
Crl.M.P.No.12401 of 2016

V.S.Prabhu .. Petitioner in Contp.No.2762/2016
& Respondent in M.P.No.12401 of 2016
Vs.

State rep. by
1.R.Dhanarasu

The Inspector of Police,
District Crime Branch,
Erode.

.. Respondent in Contp.No.2762/2016
& 1st Petitioner in M.P.No.12401 of 2016

2.The Superintendent of Police,
Erode District,
Erode.

.. 2nd Petitioner in M.P.No.12401 of 2016

Prayer: Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondent for wilful disobedience of the order passed by this Court dated 15.02.2016 made in Crl.O.P.No.3304 of 2016.

Prayer: Miscellaneous Petition filed under Section 482 of the Criminal Procedure Code, to grant further period of six months time to complete the investigation 45/2013 under Sections 120(b), 420, 464, 465, 468 IPC, as directed by this Court in Crl.O.P.No.3304 of 2016, dated 15.02.2016.

For De-facto Complainant : Mr.M.Guruprasad
For State : Mr.M.Mohamed Riyaz
Govt. Advocate (Crl. Side)

O R D E R

The respondents police representing the State has filed Crl.M.P.No.12401 of 2016 for extension of time, for filing the final report.

2.The learned Government Advocate (Crl. Side) would submit that even though this Court by order dated 15.02.2016 in Crl.O.P.No.3304 of 2016 has granted six months time for the respondent police to file the final report, they could not able to complete the investigation and file the final report, since the Investigating Officer has yet to examine several witnesses, collect relevant vital document such as disputed Will and to obtain Handwriting Expert opinion etc., and hence, he prays for further six months time to file the final report in Cr.No.45 of 2013.

3.The learned counsel appearing on behalf of the de-facto complainant/V.S.Prabhu would submit that the case has been registered in the year 2013 and even though this Court, by order dated 15.02.2016, has directed the respondent police to file the final report within a period of six months in Crl.O.P.No.3304 of 2016, the respondent police had not complied with the direction of this Court and hence, he has come forward with this contempt petition.

4.Considering the submissions made by the learned Government Advocate, this Court grants a further time of six months to file the final report in Cr.45 of 2013 i.e., on or before 15.04.2017. In view of the time granted by this Court for the respondent police to file the final report in Cr.45 of 2013 on or before 15.04.2017, the Contempt Petition stands closed. However, considering the

submission made by the learned counsel for the de-facto complainant, since the case has been registered in the year 2013 and even though six months time has already been granted by this Court by order dated 15.02.2017, final report is yet to be filed and therefore, it is appropriate for this Court to give a direction to the respondents police that investigation has to be done under the supervision of the Additional Superintendent of Police, Erode District and to file a final report in Cr.No.45 of 2013 on or before 15.04.2017.

5.In the result, Crl.M.P.No.12401 of 2016 is ordered and the Contempt Petition No.2762 filed by the defacto complainant/V.S.Prabhu is closed.

SD/
JOINT REGISTRAR(OS)

DP

//Certified to be true copy//
Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

From 25th Day of September 2008 the Registry is issuing certified copies of the Orders/Judgments/Decrees in this format.

SM/CO/22/12/2016

To

1.R.Dhanarasu
The Inspector of Police,
District Crime Branch, Erode.

2.The Superintendent of Police,
Erode District, Erode.

<https://hcservices.ecourts.gov.in/hcservices/>

One CC to M/S.M.Guruprasad, Advocate, SR.15956/2016