

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 16.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Criminal Original Petition No.21701 of 2011
and
M.P.No.1 of 2011

S.Prabakaran

... Petitioner

-Versus-

The Inspector of Police,
C.S. C.I.D.,
Coimbatore.
[Crime No.581 of 2009]

... Respondent

Prayer: This petition is filed under Section 482 Cr.P.C. praying to call for the entire records relating to the case in Crime No.581 of 2009 on the file of the respondent police and to quash the said case.

For Petitioner : Mr.R.Murali

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

ORDER

This original petition has been filed seeking to quash the case in Crime No.581 of 2009 registered by the Inspector of Police, C.S. C.I.D., Coimbatore.

2. Today, Ms.M.Vadivukkarasi, Sub Inspector of Police, C.S.C.I.D., Coimbatore, is present.

3. Heard Mr.R.Murali, the learned counsel appearing for the petitioner and Mr.C.Emalias, the learned Additional Public Prosecutor, appearing for the respondent and also perused the records carefully.

4. On the complaint lodged by the District Supply Officer, Civil Supplies Corporation, Uthagamandalam, The Nilgiris District, the respondent police have registered a case in Crime No.581 of 2009 on 24.12.2009 for offences under Section 6(2)(3), 7, 9(1), 10, 12 and 6(4) of TNSC (RDCS) Order, 1982 r/w 7(1) (a)(11) of The Essential Commodities Act, 1955 and sections 120-B and 420 of IPC against (1)Ganesan,

Salesman (TPO 11), Thevala Bazaar-2, Fair Price Shop, Gudalur Taluk, The Nilgiris District and (2)Prabakaran, Junior Assistant, Office of the Taluk Supply Officer, Gudalur Taluk, The Nilgiris District. Challenging the prosecution, the 2nd accused Prabakaran is before this court with the present original petition.

5. On a reading of the complaint given by the District Supply Officer, it is seen that 50 Nos. of bogus Family Cards [ration cards] were seized by the officials during inspection and that it is alleged in the complaint that Ganesan who was working as Salesman at Thevala Bazaar-2 and Prabakaran who was working as Junior Assistant in the Office of the Taluk Supply Office were responsible for the creation of bogus Family Cards. Hence, the FIR.

6. The investigation has been pending from year 2011 without there being any substantial progress. However, on instructions, the learned Additional Public Prosecutor submitted that after registration of the case, despite several communications to the Office of the District Supply Office from the respondent to handover the bogus Family Cards allegedly seized by the Officials from the Civil Supplies Corporation for investigation purpose, they have not handed over the same till date. Thus, the respondent is unable to show any substantial progress in the investigation.

7. Under such circumstances, the respondent police is directed to complete the investigation in accordance with law and if there is no cooperation from the District Supply Officer, the respondent police may file closure report before the jurisdictional Magistrate. The criminal original petition is dismissed with the above directions. Consequently, connected MP is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

kmk

To

1.The Inspector of Police,
C.S. C.I.D.,
Coimbatore.

2.The District Supply Officer,
Civil Supplies Department,
Office of the Collector of District,
Uthagamandalam,
The Nilgiris District.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Murali, Advocate, S.R.No.66342

Cr1.O.P.No.21701 of 2011

GM I(CO)
CA(16/12/2016)



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