

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2016

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP No.18193 of 2016

Captain Jacob Selvaraj,
Honorary Secretary
The Madras Flying Club Ltd.
Old Air Port,
Chennai - 27.

..... Petitioner

Vs

1. State Rep. By
The Inspector of Police,
S-2, Airport Police Station,
Meenambakkam,
Chennai - 600 027.

2. The Inspector of Police,
Meenambakkam Police Station,
Chennai - 600 027.

3. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery,
Chennai - 600 007

..... Respondents

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., directing the 1st respondent to complete the investigation and to file the final report in Crime No.304 of 2015, dated 13.04.2015 pending on the file of the 1st respondent police, within the time frame.

For Petitioner : Mr.K. Govindan

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the 1st respondent to complete the investigation and to file the final report in Crime No.304 of 2015, dated 13.04.2015.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the State.

3. It is seen that this petitioner has lodged a private complaint before the Judicial Magistrate, Alandur, who forwarded the same u/s 156(3) Cr. P.C. to the first respondent police, based on which initially a petition enquiry was registered in CSR No.83/2015 and thereafter, a regular FIR in Cr.No.304/2015 was registered on 13.04.2015 u/s 379 and 506(ii) IPC against R.Rajkumar and Captain Shankar Mudhaliar.

4. The petitioner has now come forward with the present petition for a direction to the first respondent police to complete the investigation in Cr.No.304/2015 expeditiously.

5. The learned Additional Public Prosecutor submitted that the dispute is essentially between two groups in the Madras Flying Club and that both of them are not co-operating in the enquiry.

6. The complaint given by the petitioner is very vague and it does not even disclose commission of a cognizable offence for the police to proceed further. It is alleged by the petitioner that the said accused had defamed the Madras Flying Club in the "You Tube". An allegation of defamation is a non cognizable offence, for which an FIR cannot be registered. Under such circumstances, the first respondent police is directed to expeditiously complete the enquiry in Cr.No.304/2015 and either close the same under due intimation to the petitioner or proceed further in accordance with law.

With the above direction, this petition is closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

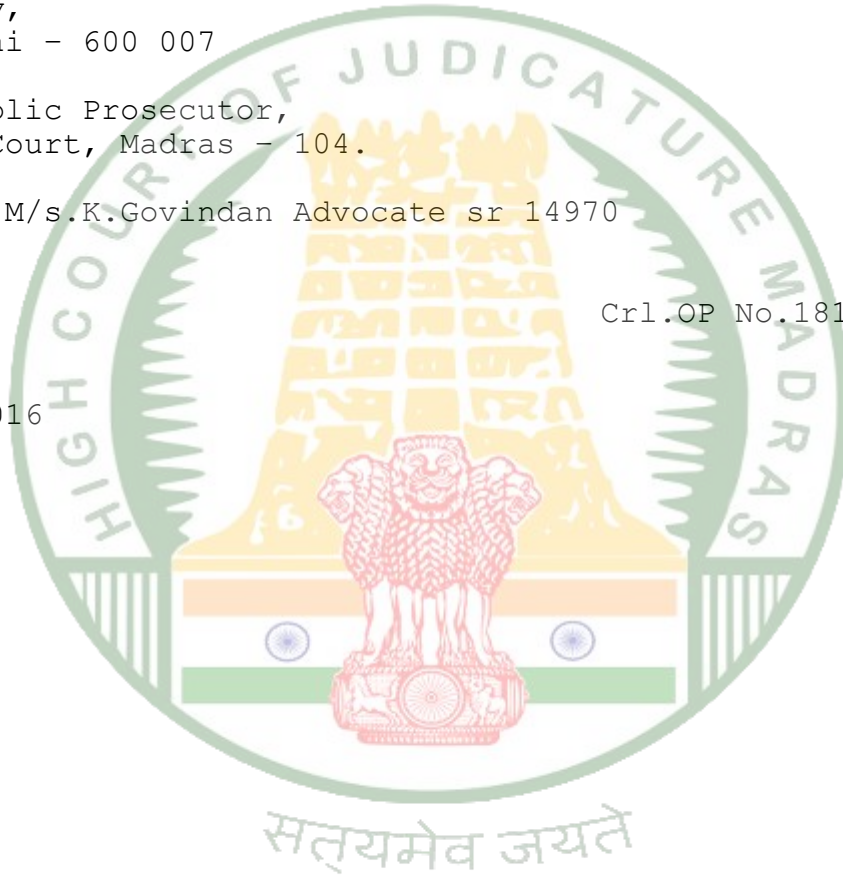
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To

1. The Inspector of Police,
S-2, Airport Police Station,
Meenambakkam,
Chennai - 600 027.
 2. The Inspector of Police,
Meenambakkam Police Station,
Chennai - 600 027.
 3. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery,
Chennai - 600 007
 4. The Public Prosecutor,
High Court, Madras - 104.
- + 1 cc to M/s.K.Govindan Advocate sr 14970

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