

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2016

C O R A M

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Cr1.O.P.No.21931 of 2016

L.SoudeSwari

...Petitioner

Vs.

State Rep. by special Sub-Inspector of Police
Tirupur North Police Station
Tirupur District.
Cr.No.775/14

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C to direct the respondent police to complete the investigation in Crime No.775 of 2014 and file the final report within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.M.Baskar

For Respondent : Mr.C. Emalias
Addl. Public Prosecutor

O R D E R

This criminal original petition has been filed to direct the respondent police to complete the investigation in Crime No.775 of 2014 and file the final report.

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

3. It is the case of the petitioner that she is the owner of the property in question and that she had given it for rent to Ponnusamy (A1). It is alleged by the petitioner that Ponnusamy (A1) submitted an application by forging her signature to the Tamil Nadu Electricity Board for conversion of single phase to three phase. In the complaint, the petitioner has implicated the Assistant Engineer and foreman of the Electricity Board. Of course, their names are not given in the FIR and only their designation as A2 and A3 is shown in the FIR.

4. Today, Mr.S.Thennarasan, Inspector of Police, Tiruppur City (North) Police Station is present.

5. Learned Additional Public Prosecutor submitted that the police have requested the officials of the Electricity Board, Tiruppur to furnish the document that is said to have been forged by Ponnusamy (A1) and that the officials are not obliging the police. It is quite understandable that in the FIR, the Assistant Engineer and Foreman have been shown as accused and therefore, the Electricity Board officials will naturally not co-operate with the police for investigation.

6. On a reading of the complaint given by the petitioner, it is seen that there are no allegations against any named individual of the Electricity Board. Merely, for holding the office as Assistant Engineer and Foreman, they cannot be shown as accused. Therefore, the police may conduct preliminary enquiry and file an alteration report deleting the Assistant Engineer and Foreman from the FIR, if it is found that they have no role to play. The Electricity Board officials are directed to co-operate with the police and furnish the necessary particulars sought for by the police. However, the respondent police is directed to complete the investigation in Crime No.775 of 2014 as expeditiously as possible.

With the above direction, this petition is ordered.

Sd/-
Assistant Registrar(J)

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सत्यमेव जयते
Sub Assistant Registrar

To

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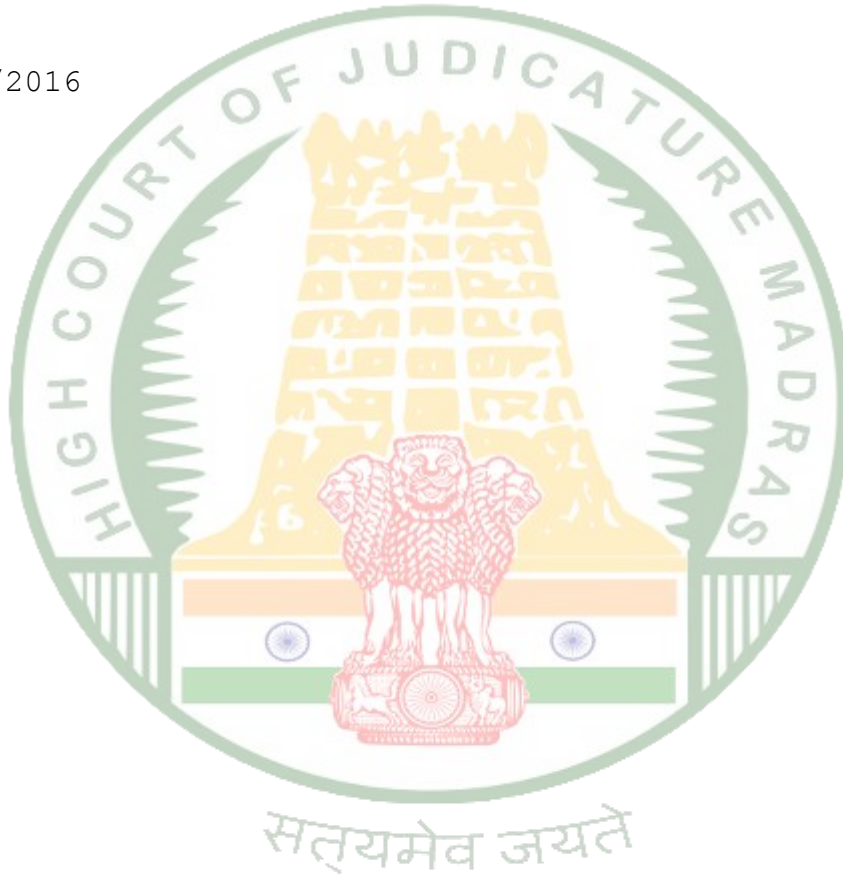
1. The Special Sub-Inspector of Police
Tirupur North Police Station
Tirupur District.
2. The Public Prosecutor,
High Court, Madras.

3. The Junior Engineer,
TANGEDCO, Kumar Nagar
Avinashi Road, Tiruppur City.

+1cc to Mr.M.Baskar, Advocate Sr.63672

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vd[col]
srg 05/12/2016



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