

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2016

CORAM:

THE HONOURABLE MS. JUSTICE R.MALA

CrI.O.P.No.3002 of 2016

S. MATHANA

.. Petitioner

Versus

1 THE COMMISSIONER OF POLICE
GREATER CHENNAI CITY POLICE
VEPERY CHENNAI

2 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH TEAM NO.XVII
OFFICE OF THE COMMISSIONER OF POLICE
VEPERY CHENNAI - 600 007.

.. Respondents

Petition filed under Section 482 Cr.P.C to pass an order of direction directing the respondents police to expedite the investigation of the crime in Cr. No. 1910/2014 on 16.11.2014 under section 420, 468 and 471 of IPC on the file of CCB Team No. XVII and file the charge sheet before the Hon'ble Magistrate Court having jurisdiction within a reasonable time fixed.

For Petitioner : Mr.M.Ramamoorthi

For Respondents : Mr. C.Emalias
Additional Public Prosecutor

O R D E R

The petitioner has come forward with this petition for a direction directing the respondents police to expedite the investigation of the crime in Cr. No.1910/2014 on 16.11.2014 under section 420, 468 and 471 of IPC on the file of CCB Team No. XVII and file a charge sheet before the Hon'ble Magistrate Court having jurisdiction within the time stipulated by this Court.

2. At this juncture, learned Additional Public Prosecutor

would submit that the case has been registered, but there are two Wills involved in the case and one is an unregistered Will and another is a registered Will and both are filed before the Court and there are two suits pending before the learned Additional District Munsif, Poonamallee, and therefore, they are unable to obtain the documents and send the same to the Forensic Department for obtaining Expert's opinion and hence, he prayed for dismissal of the petition.

3. At this juncture, the learned counsel for the petitioner would submit that already those documents have been sent to the Forensic Department and report has been received by the learned Additional District Munsif, Poonamallee, which found place at page Nos.33 to 37 of the typed set of papers and therefore, the Investigating Agency can very well obtain those documents from the concerned Court by proper channel and complete the investigation and file the final report within the time.

4. Considering the rival submissions made on either side and also perusing the typed set of papers and case diary that the respondents/Investigating Agencies can give a request to the Additional District Munsif, Poonamallee seeking both the Wills, but they have not given any request to the concerned Magistrate with requisition to send for the documents. But the Expert report from the Forensic Department has been received by the Court on 30.11.2015. In such circumstances, the Investigating Officer is directed to file proper request before the the concerned Magistrate, where the First Information Report is pending, to send for the report of the Forensic Department and complete his investigation and file final report within a period of six months from the date of receipt of a copy of this order.

5. The Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

mra

To

1 THE COMMISSIONER OF POLICE
GREATER CHENNAI CITY POLICE
VEPERY CHENNAI

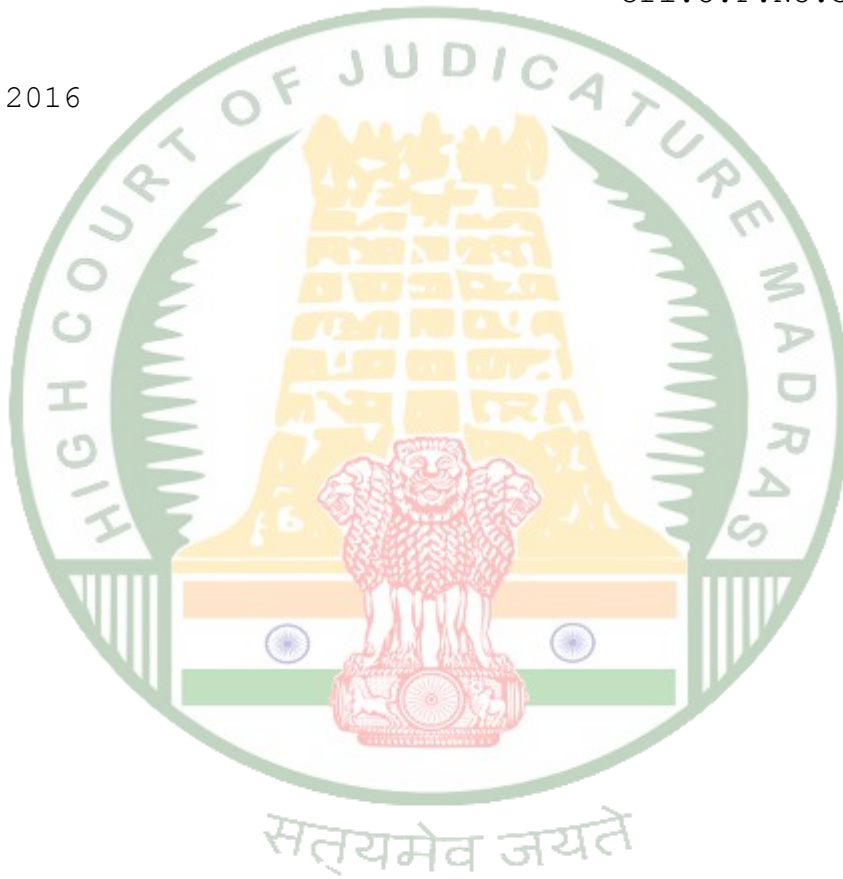
2 THE INSPECTOR OF POLICE
CENTRAL CRIME BRANCH TEAM NO.XVII
OFFICE OF THE COMMISSIONER OF POLICE
VEPERY CHENNAI - 600 007.

3. THE PUBLIC PROSECUTOR,
HIGH COURT, MADRAS

+1 cc to Mr.M.Ramamoorthy, Advocate, sr.9499

Cr1.O.P.No.3002 of 2016

sns co
kra 26.02.2016



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