



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twenty Ninth day of March Two Thousand Sixteen

PRESENT

The Hon`ble Mr Justice P.N.PRAKASH

CRL MP (MD) No.2612 of 2016
IN
CRL OP (MD) No.19633 of 2015

THE INSPECTOR OF POLICE
DISTRICT CRIME BRANCH,
MADURAI DISTRICT.
CRIME NO. 31 OF 2015

... PETITIONER/COMPLAINANT

Vs

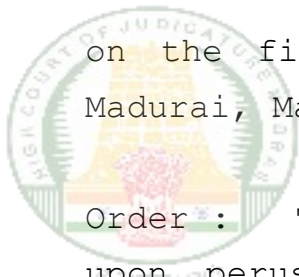
RAHUL JESSEL MITTRA
S/O. LATE. MALAY KANTI MITTRA,
MANAGING DIRECTOR,
MARGADARSHAK DEVELOPMENT PROJECT AND
CONSULTING PRIVATE LIMITED,
B-905, CID COLONY, MAHANAGAR, LUCKNOW.
NOW STAYING AT
ROOM NO. 411, HOTEL JOHNS,
MATTUTHAVANI OPPOSITE,
MADURAI.

... RESPONDENT/PETITIONER

Civil Miscellaneous Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to grant a further period of 6 months to complete the investigation and file final report in CrI.O.P.(MD) No. 19633 of 2015 dated 12.10.2015 wherein this Honourable Court has directed to complete the investigation and file final report in Crime No. 31/2015 13386 of 2015 dated 21.07.2015 wherein this Honourable Court has directed to complete the investigation and file final report within a period of six months from the date of receipt of the copy of the order.

Prayer in CrI.OP(MD)No.19633 of 2015:-

Criminal Original Petition filed under Section 482 of Cr.P.C praying to issue a direction to the Respondent herein to file the final report before the court concerned in Crime No.31/2015



on the file of the Inspector of Police, District Crime Branch, Madurai, Madurai District.

Order : This Criminal Miscellaneous petition coming on for hearing upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.A.P.BALASUBRAMANI, Government Advocate for the Responent/petitioner and this court made the following order:-

The petitioner / respondent Police has filed this criminal miscellaneous petition, under Section 482 of the Code of Criminal Procedure, seeking further six months of time to complete the investigation in Crime No.31 of 2015 and file a final report.

2. Heard Mr.A.P.Balasubramani, learned Government Advocate (Criminal Side) appearing for the petitioner / respondent Police and Mr.N.Murugesan, learned counsel appearing for the respondent / petitioner, who strongly objected to extend the time stipulated by this Court.

3. The petitioner / respondent Police, in the accompanying affidavit, has stated that:

"3. It is respectfully submitted that the investigation has been continued right earnestly and the same is nearing completion. Final report could not be filed within time frame since a sum of Rs.3,35,00,000/- is outstanding to be settled and the transaction emanated from Axis Bank, Lucknow. The summons sent to the witnesses could not be served because they are no longer the employees of Borg Energy India Pvt Ltd and their presence whereabouts is also not known. The accused company has also informed that spare parts worth of Rs.2 crores have already been sent to Company at Lucknow. Hence the complete the investigation and file final report the details relating to the original agreement is necessary which



has been called for and the same will have to be sent to the Regional Forensic Laboratory for verification and expert opinion and hence a further period of six months is necessary to complete the investigation, taking into consideration of the amount involved and the cars and the transaction that took necessary to complete the investigation and submit final report as ordered by this Hon'ble Court."

4. Taking into consideration the above facts, petitioner / respondent Police is given four months time, from the date of receipt of a copy of this Order, to complete the investigation in Crime No.31 of 2015 and file a final report, as directed by this Court on 12.10.2015.

sd/-
29/03/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE INSEPECTOR OF POLICE, DISTRICT CRIME BRANCH, MADURAI DISTRICT.
- 2 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

CSL/SKS-RR/AR-I/18.04.2016 : 3p/3c

ORDER
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Extending the time by four months etc., as stated within.