



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE V.S.RAVI

Cr1.O.P.(MD) No.3538 of 2016

K.S.Rajan

... Petitioner

vs.

1. The Superintendent of Police
Madurai District

2. State, represented by
The Inspector of Police
Melur Police Station
Madurai District
(Crime No.65 of 2014)

... Respondents

PRAYER: This petition is filed under Section 482 Cr.P.C., to direct the second respondent to file final report in the case in Crime No.65 of 2014, on the file of the 2nd respondent Police.

For Petitioner : Mr.P.Venkatesan

For Respondents : Mr.P.Kandasamy, G.A.(Cr1.Side)

ORDER

Seeking a direction to the second respondent to file the final report, in Crime No.65 of 2014, before the concerned forum, the petitioner has come up with this criminal original petition.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents.

3. It is stated in the petition that there is a pond in the Village, namely, Panikkankundu, in Survey No.109, to an extent of 5.46 Acres. The people of the said Village have been using the said pond by taking water and it is only the water source of the said Village. One K.V.Malaichamy, son of Veerananambalam, hailing in the same Village and his henchmen, tried to grab the said pond, by creating forged documents, and also filed a suit in O.S.No.390 of 2012, before the learned District Munsif, Melur, claiming that the pond in question is belonged to them. The petitioner gave a representation to the Government officials to save the pond in question from the opposite parties and for that they had an intention to take revenge against the petitioner. Accordingly, on 17.01.2014, at about 05.30 p.m., when the petitioner was standing in the Busstop, K.V.Malaichamy and his henchmen came there and attacked him and tried to kill him. At that time, the Village people came there and saved the petitioner from the opposite parties and admitted him in the Government



Rajaji Hospital at Madurai. After discharge from the Hospital, the petitioner lodged a complaint before the respondent Police, against the accused persons, and the same was registered in Crime No.65 of 2014, under Sections 147, 294(b), 323 and 506(i) I.P.C. The grievance of the petitioner is that though the case was registered as early as on 30.01.2014, till date the respondent Police has not filed the final report before the concerned forum. Therefore, he has filed this criminal original petition seeking the relief as stated above.

4. Taking into consideration the fact that the case, in Crime No.65 of 2014, is kept pending right from 30.01.2014, this Court is of the view that the petitioner is entitled to get a direction as prayed for.

5. Accordingly, this criminal original petition is disposed of with a direction to the respondent Police to complete the investigation in the case, in Crime No.65 of 2014, and to file the final report before the concerned forum as early as possible preferably within a period of four weeks from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CO.DEPT.) I/C

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District.
2. The Inspector of Police,
Melur Police Station,
Madurai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.P.VENKATESAN, ADVOCATE IN SR NO. 11693

KRK

TE/NGM-SS/ : 04/03/2016 : 2P/5C

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