



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2016

CORAM:

THE HONOURABLE DR.JUSTICE P.DEVADASS

Criminal Original Petition (MD) No.9975 of 2016

1.V.Kesavan
2.S.Uthayan
3.S.Eswaran
4.A.Vijayan
5.G.Rajapandian
6.N.Sathiamoorthy

... Petitioners /
Accused 1 to 3, 5 to 7

vs.

1. The Superintendent of Police
Theni District, Theni.

2. The Deputy Superintendent of Police,
Vigilance and Anticorruption,
Theni.
(Crime No.2 of 2012)

... Respondents /
Complainants

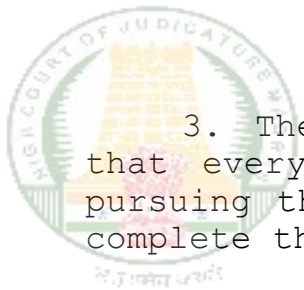
PRAYER: This petition is filed under Section 482 Cr.P.C to direct the 2nd respondent to complete the investigation in Crime No.02 of 2012 and to file charge sheet before the concerned criminal court within the time stipulated by this Court.

For Petitioners : Mr.V.P.Rajan
For Respondents : Mr.P.Kandasamy, G.A.(Crl.Side)

ORDER

Some of the accused, who are alleged to have committed certain offences under P.C.Act and Indian Penal Code, seeks direction to the Deputy Superintendent of Police, Vigilance and Anticorruption, Theni, under Section 482 Cr.P.C., to complete the investigation in Cr.No.2 of 2012 within a prescribed time and file the final report before the concerned Court according to law.

2. The learned counsel for the petitioners submitted that the petitioners are public servants. They are working as Assistant Engineers in Agricultural Engineering Department. They are under great mental strain and pain. However, there is no progress in the investigation of the case.



3. The learned Government Advocate (Criminal Side) contended that every step has been taken by the Investigation Officer in pursuing the investigation and he needs at least one month time to complete the investigation.

4. I have considered their submissions and perused the materials on record.

5. 'Speedy trial' and 'speedy justice' now flows from Article 21 of Constitution of India. Though not exactly worded, but it is meant to include in the said constitutional provision by the Hon'ble Supreme Court. But, this cannot be accorded to the accused, unless investigation is completed and final report is filed. Because, then only further steps as provided under Cr.P.C., could be taken.

6. In the circumstances, the second respondent, namely, the Deputy Superintendent of Police, Vigilance and Anticorruption, Theni, is directed to expeditiously conduct the investigation in Crime No.2 of 2012 and file the final report before the concerned Court within one month from the date of receipt of a copy of this Order.

7. Accordingly, this criminal original petition is disposed of.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Theni District, Theni.
2. The Deputy Superintendent of Police,
Vigilance and Anticorruption,
Theni.
3. The Government Advocate (Criminal Side),
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.V.P.RAJAN, ADVOCATE IN SR No. 32660

KRK
TE/PEK/ : 30/06/2016 : 2P/5C

Cr1.O.P.(MD).No.9975 of 2016
23.06.2016