

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

Crl.O.P.No.8442 of 2017

M.Venkatesan

.. Petitioner

Vs

1. State of Tamil Nadu rep. by
Superintendent of Police,
Office of the Superintendent of Police,
Kanchipuram District.

2. State of Tamil Nadu rep. by
Inspector of Police,
Kelambakkam Police Station,
Kanchipuram District.

.. Respondents

Petition filed under Section 482 of the Criminal Procedure Code, to direct the respondents to investigate the case in Crime No.561/2014 and to file final report within the time frame fixed by this court.

For Petitioner : Mr.V.Premkumar

For Respondents : Mr.C.Emalias,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondents to investigate the case and file final report in Crime No.561 of 2014 on the file of the second respondent police.

2. The case of the petitioner is that his father had lodged a complaint with the second respondent on 11.09.2014 about the unnatural death of her daughter Sasikala. The said complaint was registered as FIR in Crime No.561 of 2014 under Section 174(iii) Cr.P.C. Pursuant to the same, enquiry was conducted by the Revenue Divisional Officer. However, no action was taken by the second respondent. Subsequently, the petitioner's father / defacto complainant died on 02.11.2014. Thereafter, in view of the steps taken by the petitioner, the second respondent

conducted investigation and altered the charges into one under Sections 304(B) and 498(A) IPC and Section 4 of the Tamil Nadu Woman Harassment Act, 1998, but failed to complete the investigation and file final report. Though the petitioner made several requests to the first respondent to expedite the investigation and file final report, no steps have been taken by either of the respondents, which compelled him to file a petition in CrI.OP No.22803 of 2015 praying to transfer the investigation to CBCID. By order dated 10.09.2015, the said petition was disposed of directing the enquiry to be conducted by a different investigating officer under the supervision of the Superintendent of Police and file final report as expeditiously as possible. Despite the same, till date, final report was not filed. Hence, this petition.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor, who took notice for the respondents.

4. Admittedly, the First Information Report was registered on 11.09.2014. However, till date, final report was not filed, despite the specific direction issued by this Court by order dated 10.09.2015 in CrI.OP.No.22803 of 2015. Further, no plausible explanation has been forthcoming with respect to inaction on the part of the respondent for nearly 2¼ years, which, in my view, cannot be countenanced.

5. Therefore, this Court directs the respondents to comply with the earlier order of this Court dated 10.09.2015 passed in CrI.OP No.22803 of 2015 and investigate the case and file final report, in Crime No.561 of 2014, as expeditiously as possible, preferably within a period of six weeks from the date of receipt of a copy of this order.

6. The Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

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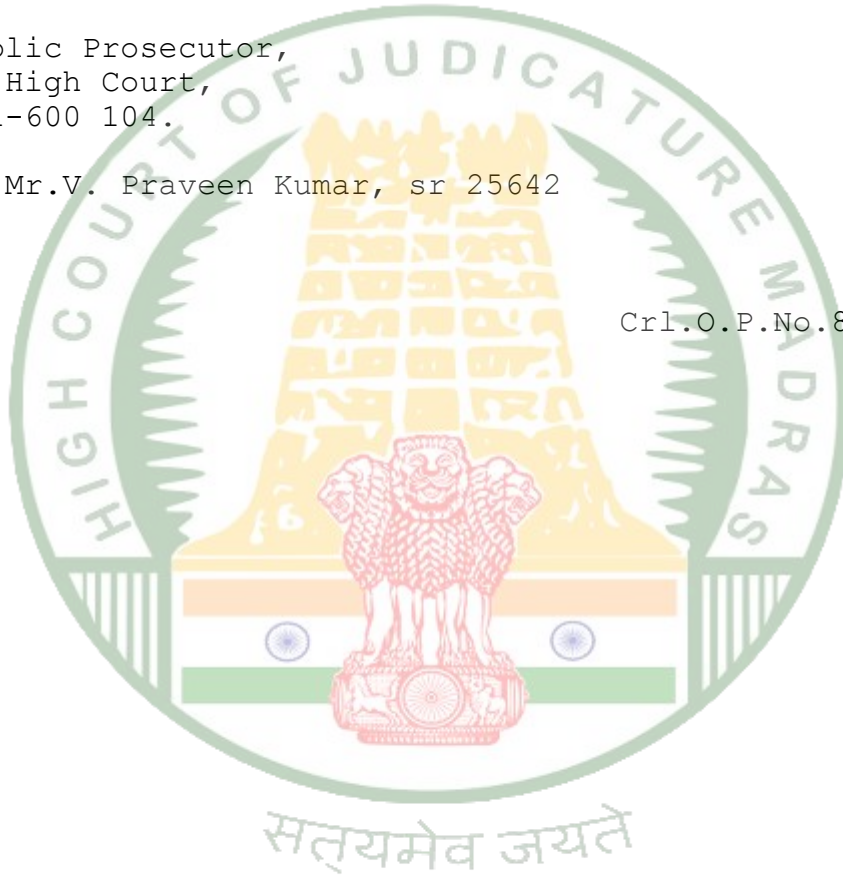
Sub Assistant Registrar

To

1. Superintendent of Police,
Office of the Superintendent of Police,
Kanchipuram District.
 2. Inspector of Police,
State of Tamil Nadu
Kelambakkam Police Station,
Kanchipuram District.
 3. The Public Prosecutor,
Madras High Court,
Chennai-600 104.
- +1 CC to Mr.V. Praveen Kumar, sr 25642

SKV (CO)
sp/22/5

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