

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2017

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THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.22916 of 2017

Nehru ... Petitioner/Defacto Complainant

Vs

State By,
The Inspector of Police,
Thirumanur Police Station,
Ariyalur District. ... Respondent/Complainant

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police to secure the main accused Sathiyaraj, S/o Rajamanickam and Vembu, W/o. Rajamanickam in Crime No.151 of 2017 pending on the file of the Inspector of Police, Thirumanur Police Station, Ariyalur District.

For Petitioner : Mr.A.Prakash

For Respondent : Mr.C. Iyyapparaj
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent police to secure the main accused

Sathiyaraj, S/o Rajamanickam and Vembu, W/o. Rajamanickam in Crime No.151 of 2017 pending on the file of the Inspector of Police, Thirumanur Police Station, Ariyalur District.

2. Heard learned counsel for the petitioner as well as the learned Additional Public Prosecutor for the respondent.

3. The learned counsel for the petitioner submitted that the main accused Sathiyaraj, who has been shown as first accused is absconding till date. Learned counsel further submitted that the said first accused also filed two anticipatory bail petitions and the same were dismissed.

4. Since the defacto complainant has filed the present petition seeking to secure the accused, this court is of the view that it would suffice, if a direction is issued to the respondent police to complete the investigation in Crime No.151 of 2017 and file a final report. Hence, the following order is passed.

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5. Whenever any information in relation to commission of cognizable or non cognizable offence is received, the police officer shall adhere to the procedure contemplated under Sections 154 & 155 of the Criminal Procedure Code and after conducting necessary

enquiry/investigation, file final report under Section 173 of Cr.P.C. Such investigation under Chapter XII of the Criminal Procedure Code shall be completed without any unnecessary delay. The delay in filing a final report in the present case is inordinate and unjustified. Hence, it would be appropriate to direct the Investigating Officer to file a final report within a stipulated time, if not already filed.

6. Considering the facts and circumstance of the case, this Court directs the respondent police to complete the investigation in Crime No.151 of 2017 pending on his file and file a final report within a period of eight weeks from the date of receipt of a copy of this Order. This Criminal Original Petition is disposed of accordingly.

07.11.2017

Index:Yes
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To

1. The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.

2. The Public Prosecutor,
High Court, Madras.

M.S.RAMESH.J,

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