



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

CRL.OP.(MD) No.7557 of 2017

S.Balakrishnan

... Petitioner

Vs.

1.The Superintendant of Police,
Thoothukudi District,
Thoothukudi.

2.The Inspector of Police,
District Crime Branch,
Thoothukudi District,
Thoothukudi.

(in Crime No.54 of 2014)

3.The Inspector of Police,
South Police Station, Thoothukudi,
Thoothukudi District.

... Respondents

PRAYER: Criminal Original petition filed under Section 482 of Code of Criminal Procedure, to direct the third respondent to investigate the case in Crime No.1003 of 2015 under the monitor of the first respondent and file the final report within the stipulated time as may be fixed by this Court.

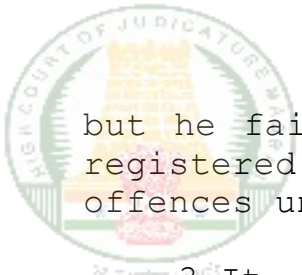
For Petitioner : Mr.M.Ramu

For Respondents : Mr.K.S.Durai Pandian
Additional Public Prosecutor

ORDER

The Criminal Original Petition is filed to direct the third respondent to investigate the case in Crime No.1003 of 2015 under the supervision of the first respondent and file a final report within the stipulated time as fixed by this Court.

2.The learned Counsel for the petitioner stated that the petitioner started the Battery and Inverter Sales Business in Thoothukudi in the name and style of "Annamalai Traders" at Chidambara Nagar Main Road, Thoothukudi. It is further stated that one J.Sabarankam, who claims to be the Regional Manager of the Reliance Communication and Reliance Petroleum, approached the petitioner for supply of Generators manufacturing by Reliance group and collected a sum of Rs.35,00,000/- from the petitioner,



but he failed to supply the goods. In this regard, a case was registered in Crime No.54 of 2014 on 09.10.2014 for the alleged offences under Section 420 IPC, against J.Saba. and two others.

3. It is further stated that the proposed accused gave a confession statement under Section 164 of Cr.P.C., before the learned Judicial Magistrate No.II, Thoothukudi. It is further stated that under the guise of settling the amount to the petitioner, one Warrior and two others have taken gold ornaments and cash to the value of Rs.1,50,000/- and cheated him. This statement was also treated as a complaint and appears to have been forwarded to the South Police Station, Thoothukudi and registered in Crime No.1003 of 2015 on 16.11.2017, for the offences punishable under Sections 420, 380 and 506(ii) IPC. It is stated that the proposed accused one Warrior, is an Advocate and that the second respondent is not willing to proceed with the case factually.

4. Though the complaint was registered in the year 2015, there is no progress in the investigation and no one was arrested in connection with the crime. It is further stated that serious prejudice will be caused to the petitioner, in case the enquiry is delayed any more. It is in this circumstances, the petitioner has approached this Court with the above prayer.

5. The learned Additional Public Prosecutor, on instructions, submitted that the investigation is almost over and that the respondent is likely to file a final report within a period of three months.

6. Considering the nature of the complaint and the grievance expressed by the petitioner before this Court, especially having regard to the huge unexplained delay in filing the charge sheet and submission of the learned Additional Public Prosecutor, the above criminal original petition is allowed and the third respondent is directed to complete the investigation in Cr.No.1003 of 2015 under the supervision of the first respondent and file a final report within a period of three months from the date of receipt of a copy of this order.

Sd/-

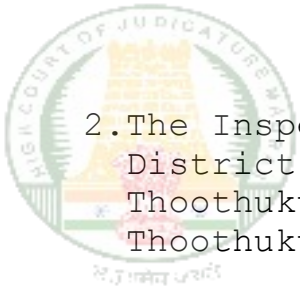
Assistant Registrar(A.E)

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Thoothukudi District,
Thoothukudi.



2.The Inspector of Police,
District Crime Branch,
Thoothukudi District,
Thoothukudi.

3.The Inspector of Police,
South Police Station,
Thoothukudi District.

+1cc to Mr.M.RAMU Advocate in SR. No. 85764

CMR

JS/JC/SAR.4/8.12.2017/3P-5C

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