



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2018

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.7010 of 2018

Allimuthu ... Petitioner/Defacto Compainant

Vs

State by

1. The Inspector of Police,
Namakkal Town Police Station,
Namakkal Town, Namakkal District.
(Crime No.36 of 2018) ...1st Respondent/Compainant

2. The Superintendent of Police,
Namakkal District, Namakkal. ...2nd Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the 1st respondent herein to investigate the case in Crime No.36 of 2018 pending on the file of the 1st respondent without in any way being inhibited and bound by the previous investigation done by incharge Inspector of Police and also direct the 2nd respondent Superintendent of Police to monitor the case in Crime No.36 of 2018 pending on the file of the 1st respondent police.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.C.Raghavan
Government Advocate (Crl. side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the 1st respondent to complete the investigation and to file the final report in Crime No.36 of 2018 dated 12.01.2018 pending on the file of the 1st respondent police.

2.By consent of both sides, this Criminal Original Petition is taken up for disposal.

3.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.

4.Considering the facts and circumstance of the case, this Court directs the respondent police to complete the investigation in Crime No.36 of 2018 pending on his file and file a final report as expeditiously as possible. Since the petitioner has alleged that the earlier investigation conducted by the in-charge Inspector of Police was not proper, it would be appropriate to have the investigation monitored by a Superior Officer. At this juncture, it would be appropriate to observe that this Court also have views with regard to the investigation conducted by the earlier in-charge Inspector of Police. In view of the averments made in the petition, the investigation shall be monitored by the second respondent herein. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

at

To

1. The Inspector of Police,
Namakkal Town Police Station,
Namakkal Town, Namakkal District.
(Crime No.36 of 2018)

2. The Superintendent of Police,
Namakkal District, Namakkal.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Raghavan , Advocate, S.R.No.17979

Cr1.O.P.No.7010 of 2018

SSV(CO)
RRK(14/03/2018)