

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.03.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH
Crl.O.P.No.5732 of 2018

V.Rajkumar

... Petitioner

Vs.

1. The Superintendent of Police,
Kancheepuram District.
 2. The Inspector of Police,
G-1, Maduranthakam Police Station,
Kancheepuram District.
Crime No.317 of 2017
- ... Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the first respondent herein to withdraw the investigation in Crime No.317 of 2017 on the file of the second respondent herein and to transfer the same to any other independent investigating agency not below the rank of Deputy Superintendent of Police to conduct through investigation in Crime No.317 of 2017 in accordance with law.

For Petitioner : Mr.D.Gopal

For Respondents : Mrs.Kritika kamal.P
Government Advocate (Crl.Side)

ORDER

This petitioner has been filed for direction to the first respondent herein to withdraw the investigation in Crime No.317 of 2017 on the file of the second respondent herein and to transfer the same to any other independent investigating agency not below the rank of Deputy Superintendent of Police to conduct through investigation in Crime No.317 of 2017.

2. Heard learned counsel for the petitioner as well as the learned Government Advocate (Crl. Side) for the respondents.

3. Though the petitioner sought for transfer of investigation, grounds raised by the petitioner is that there is no considerable progress in the investigation. It is seen that

by an earlier order dated 13.10.2017 in CrI.O.P.No.21933 of 2017, this Court had directed the second respondent to expedite the investigation and conclude the same as expeditiously as possible.

4. In spite of the same, the learned counsel for the petitioner submits that there is no progress in the investigation and as such, it would be appropriate to stipulate the time limit for the completion of the investigation.

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.822 of 2016 pending on his file and file a final report within a period of six weeks from the date of receipt of a copy of this order. This Criminal Original Petition is ordered accordingly.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

vum/nl

To

1. The Superintendent of Police, Kancheepuram District.
2. The Inspector of Police,
G-1, Maduranthakam Police Station, Kancheepuram District.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.D.GOPAL Advocate, S.R.No. 18323

CrI.O.P.No.5732 of 2018

TR(21/03/2018)