

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2018

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP.No.17030 of 2018

P.Mani

... Petitioner

Vs

The Deputy Superintendent of Police
District Crime Branch
Anti Land Grabbing Special Cell
Salem.

...Respondent

Criminal Original Petition filed under Section 482 of Cr.P.C., seeking a direction to the respondent herein to complete the investigation in Crime No.25 of 2013 pending on the file of the respondent and file a final report.

For Petitioner : Mr.M.R.Thangavel

For Respondent : Mr.C.Raghavan
Government Advocate (Crl. Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondent herein to complete the investigation in Crime No.25 of 2013 pending on the file of the respondent and file a final report.

2. On the complaint given by the petitioner, the respondent police have registered a case in Crime No.25 of 2013 on 28.09.2013 for the offences under Sections 120-B, 467, 468, 471, 420 and 506(ii) IPC against Rajeswari and 46 others. On the premise that the investigation has not been completed, the de facto complainant has filed the present petition with the above prayer.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent.

4. On instructions, the learned Government Advocate (Crl. Side) submitted that the investigation in Crime No.25 of 2013 has been completed and the charge sheet is ready, however, the

police have not filed the same before the Special Court for Land Grabbing Cases, on account of the stay that has been granted by the Supreme Court.

5. It is true that the Supreme Court has granted stay of all proceedings before the Special Court for Land Grabbing Cases. However, that cannot be stated as a reason for the police to withhold the charge sheet, without filing the same, even before the ordinary jurisdictional Court viz., the Judicial Magistrate No.I, Sankagiri.

6. Under such circumstances, this Court directs the respondent police to file the charge sheet before the jurisdictional Court i.e. the Judicial Magistrate No.I, Sankagiri, within one month from the date of receipt of a copy of this order. On such charge sheet being filed, the Judicial Magistrate No.I, Sankagiri shall pass orders in accordance with law.

With the above direction, this petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mk

To

1.The Judicial Magistrate No.I,
Sankagiri.

2. The Deputy Superintendent of Police
District Crime Branch
Anti Land Grabbing Special Cell
Salem.

+1cc to Mr.C.Anbu, Advocate sr.no.47898

Cr1.OP.No.17030 of 2018

nr 27/07/2018