



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2018

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

CRL.O.P.(MD) No.19479 of 2018

M.S.Sivanesan

... Petitioner

Vs

1.The Commissioner of Police,
Trichy City,
Trichy.

2.The Inspector of Police,
City Crime Branch,
Trichy City,
Trichy.
Crime No.43 of 2009

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the first respondent to take appropriate action based on the order passed by the learned Judicial Magistrate No.III, Trichirappalli in R.C.No.63 of 2013 dated 02.06.2014 within stipulated time.

For Petitioner : Mr.T.Senthilkumar

For Respondents : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

This petition has been filed seeking for a direction to the first respondent to take appropriate action based on the order passed by the learned Judicial Magistrate No.III, Trichirappalli in R.C.No.63 of 2013.

2.The learned counsel for the petitioner would submit that an FIR was registered by the respondent police in Crime No.43 of 2009 for the offences under Sections 406, 420, 294(b) and 506(ii) IPC. The case was investigated into by the respondent police and a referred charge sheet was filed before the Court below in R.C.S.No.62 of 2013. The petitioner filed a protest petition before the Court below and the Court below by an order dated 02.06.2014, directed the Commissioner of Police, Trichy, to appoint another police officer for the purpose of conducting further investigation.



3. According to the learned counsel for the petitioner, no action has been taken by the respondent police right from the year 2013. Therefore, this petition has been filed seeking for the above said relief.

4. The learned Government Advocate (Crl.Side), on instructions, would submit that the first respondent immediately, on receipt of the intimation from the learned Judicial Magistrate No.III, Trichy, transferred the case to the Inspector of Police, Cantonment Police Station (Crime), Trichy and directed him to investigate the case. The said police have also investigated the case and a final report has been filed before the Judicial Magistrate, Trichy. However, the same is yet to be numbered before the Magistrate concerned.

5. Recording the submissions made by the learned Government Advocate (Crl.Side) this Court directs the Inspector of Police, Cantonment Police Station (Crime), Trichy to take steps to number the final report within a period of two weeks from the date of receipt of copy of this order.

6. This criminal original petition is disposed of with the above direction.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar (CS-III)

To

1. The Commissioner of Police,
Trichy City,
Trichy.

2. The Inspector of Police,
City Crime Branch,
Trichy City,
Trichy.

3. The Inspector of Police,
Cantonment Police Station (Crime)
Trichy.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.T.Senthil Kumar, Advocate, Sr.No.93289.

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