

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Cr1.O.P.No. 3339 of 2019

P.Arumugam

... Petitioner

Vs

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

2.The State rep by its
Inspector of Police,
District Crime Branch,
(Land Grabbing)
Erode District.

... Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent to investigate the case and file the final report in the Crime No.3 of 2018 before the concerned Jurisdictional Magistrate i.e., learned Judicial Magistrate No.II, Erode.

For Petitioners : Mr.M.Guruprasad

For Respondents : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed seeking for a direction to the second respondent to complete the investigation and to file a final report in Crime No.3 of 2018 pending on the file of the respondent police.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

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 second respondent police to complete the investigation in Crime No.2 & 3 of 2018 respectively, pending on his file and file a final report before the concerned Jurisdictional Magistrate i.e. Learned Judicial Magistrate No.II, Erode, within a period of four weeks from the date of receipt of copy of this order."

5. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

Dated: 26.02.2019

*** Corrected as per order
of this Court dated
05.03.2018 in CrI.O.P.No.3336&3339/2019
sd/- Assistant Registrar(CS I)
Dated: 12.03.2019.**

//True copy//

Sub Assistant Registrar

lpp
To

1. The Judicial Magistrate II Erode. To be substituted to the order already despatched on 01.03.2019.
2. The Superintendent of Police, Erode, Erode District.
3. The Inspector of Police, District Crime Branch, (Land Grabbing) Erode District.
4. The Public Prosecutor, High Court, Madras.

+1cc to Mr.M.Gururprasad, Advocate SR.No.11082 (27/02/2019)

CrI.O.P.No. 3339 of 2019

GMV (26/02/2019)
SP (13/03/2019)



WEB COPY