

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5343 of 2019

S.Harikumaran

... Petitioner

Vs

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

2. The State,  
Rep by its, The Inspector of Police,  
District Crime Branch,  
Erode District,  
(Crime No.1 of 2018)

... Respondents

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C., directing the 2<sup>nd</sup> respondent to investigate the case and to file final report in Crime No.1 of 2018 on the file of 2<sup>nd</sup> respondent before the Hon'ble Judicial Magistrate No.2 at Erode within stipulated period of time as granted by this Court.

For Petitioner : Mr.K.Myilsamy

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

ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent to complete the investigation and to file the final report in Crime No.1 of 2018.

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 respondent police to complete the investigation in Crime No.1 of 2018 pending on his file and file a final report within a period of three months from the date of the receipt of a copy of this Order.

5. This Criminal Original Petition is disposed of accordingly.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

vsn/lpp

To

1. The Hon'ble Judicial Magistrate,  
No.2, Erode.

2. The Superintendent of Police,  
Erode,  
Erode district.

3. The Inspector of Police,  
District Crime Branch,  
Erode District

4. The Public Prosecutor,  
High Court, Madras.

+1 CC to Mr.K.Myilsamy, Advocate sr 19072.

Cr1.O.P.No.5343 of 2019

BS (CO)  
SP(03/04/2019)

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