

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2019

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDRA

Crl.O.P.No.24151 of 2019

Nityanand Jayaraman

...Petitioner

Vs

State of Tamil Nadu,  
Represented by  
Inspector of Police,  
J-5, Shastri Nagar Police Station,  
Custom Colony, Besant Nagar,  
Chennai - 600090.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondent herein to complete the investigation in Crime No.26 of 2019 and submit the final report in a time bound manner.

For Petitioner : Ms.B.Poongkhulali

For Respondent : Mr.M.Mohamed Riyaz

Additional Public Prosecutor

O R D E R

This petition has been filed seeking to direct the respondent herein to complete the investigation in Crime No.26 of 2019 and submit the final report.

2 The learned counsel for the petitioner would submit that the petitioner is the defacto complainant and father of the victim girl. She would submit that in respect of the complaint dated 05.1.2019, the respondent police has registered a case against one Manoj @ Manoj Kumar, for the offence under section 448 of IPC and under section 4 and 8 of the Protection of Children Against Sexual Offences Act, 2012 and since the final report was not filed by the respondent police, the petitioner had approached this Court in Crl.OP.NO.6825/2019, seeking for a direction to the respondent herein, to complete the investigation and submit the final report in a time bound manner and this Court by order dated 14.03.2019 had directed the respondent police to complete the investigation in Cr.No.26/2019 within a period of three months from the date of receipt of a copy of this order. Meanwhile that the accused had approached

this court seeking for bail in CrI.OP.NO.6804/2019 and this Court by order dated 21.03.2019, while granting bail to the petitioner had directed the trial Court, namely the Mahila Court, Chennai, to immediately take cognizance of the final report and to complete the entire proceedings within a period of two months from the date of receipt of a copy of this order. Further, this Court had also directed that the trial shall be conducted on a day to day basis, without granting any unnecessary adjournments. She would submit that despite both orders have been passed by this Court, the respondents have not filed the final report so far and thereby the petitioner is put to great hardship.

3 The learned Additional Public Prosecutor would submit that the respondents have completed the investigation and filed the final report before the learned Mahila Court, Chennai, on 29.04.2019 and till date, the final report has not been taken on file by the concerned Court.

4 It is seen that this Court had passed two orders, one dated 14.03.2019, directing the respondent to complete the investigation and file the final report within three months from the date of receipt of a copy of this order and another order dated 21.03.2019, directing the Court to take cognizance of the final report and to complete the entire proceedings within a period of two months from the date of receipt of a copy of this order. Further, this Court had directed the trial Court to conduct trial on day to day basis without granting any unnecessary adjournments.

5 Considering the facts and circumstances and the submissions made by the learned counsel, the learned Trial Judge of the Mahila Court, Chennai is directed to take the cognizance of the final report and comply with the orders passed by this Court in CrI.OP.NO.6825/2019 dated 14.03.2019 and in CrI.OP.NO.6804/2019 dated 21.03.2019, without any further delay.

7. This Criminal Original Petition is ordered with the above directions. The learned Mahila Court shall accord priority to the case.

Sd/-

Assistant Registrar(Insp cell)

//True Copy//

Sub Assistant Registrar

jrs

To

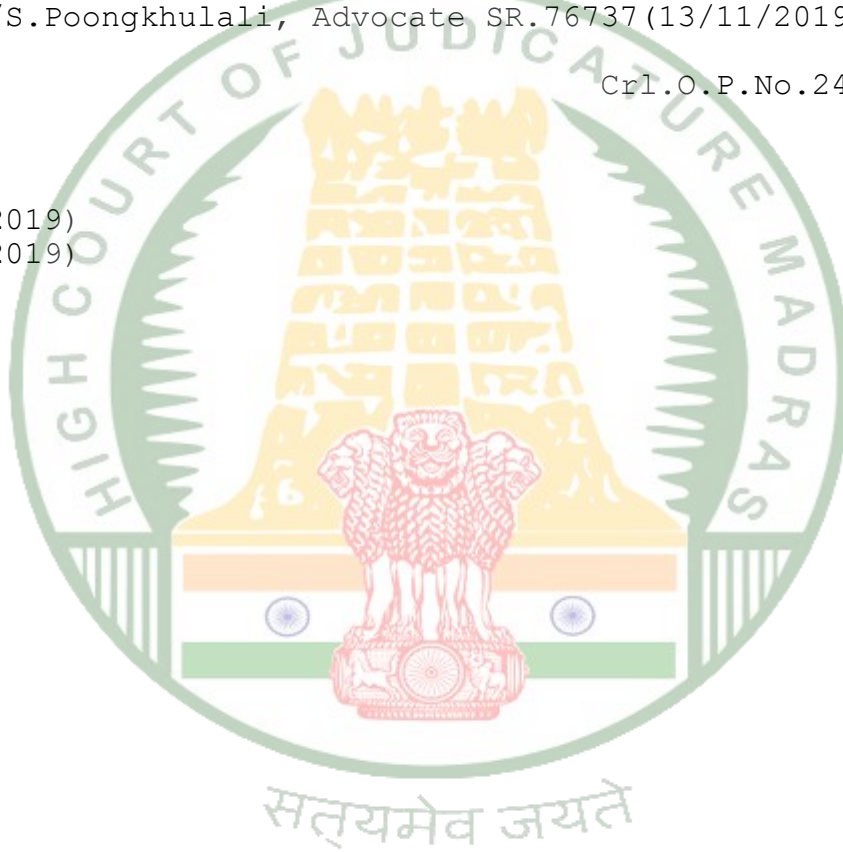
1. The Mahila Court, Chennai.
2. The Inspector of Police,  
J-5, Shastri Nagar Police Station,  
Custom Colony, Besant Nagar,  
Chennai - 600090.
3. The Additional Public Prosecutor,  
High Court of Madras.

+lcc to M/S.Poongkhulali, Advocate SR.76737

+lcc to M/S.Poongkhulali, Advocate SR.76737(13/11/2019)

CrI.O.P.No.24151 of 2019

BS(CO)  
CB(11/10/2019)  
CB(13/11/2019)



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