

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.328 of 2017 and
W.M.P.No.364 of 2017

K.S.Selvaraj

... Petitioner

Vs

1. The Superintendent of Police,
Erode District, Erode.
 2. The Inspector of Police,
District Crime Branch,
Erode.
 3. The Chief Immigration Officer,
No.26, Shastri Bhawan,
No.26, Haddows Road,
Nungambakkam,
Chennai - 600 006.
 4. Mr.A.Ashok Kumar
- Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents 1 and 2 to issue lookout notice against the fourth respondent by addressing to the third respondent and proceed the matter in accordance with law.

For Petitioner : M/s P.Kannan Kumar

For RR 1 to 3 : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

For R4 : Mr.K.M.D.Muhilan

ORDER

This Writ Petition has been filed seeking for a direction directing the respondents 1 and 2 to issue lookout notice against the fourth respondent by addressing to the third respondent and proceed the matter in accordance with law.

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

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/Inspector of Police to complete the investigation in Crime No.21 of 2016, dated 27.12.2016 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 Writ Petition is disposed of accordingly. No costs. Consequently, connected W.M.P.No.364 of 2017 is closed.

s/d-
Assistant Registrar (CS V)

True Copy

Sub-Assistant Registrar

msm

To

1. The Superintendent of Police,
Erode District, Erode.
 2. The Inspector of Police,
District Crime Branch, Erode.
 3. The Chief Immigration Officer,
No.26, Shastri Bhawan, No.26, Haddows Road,
Nungambakkam, Chennai - 600 006.
 4. The Public Prosecutor, High Court, Madras.
- +1 CC to Mr.K.M.D.Muhilan, Advocate sr 19418.

W.P.No.328 of 2017

SP(05/04/2019)