



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2019

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE **V.BHARATHIDASAN**

Crl.O.P. (MD) No.8660 of 2019

Sathya

: Petitioner

Versus

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

2.The Inspector of Police,
Keeranoor Police Station,
Dindigul District.

3.Balamurugan,
Sub-Inspector of Police,
Keeranoor Police Station,
Dindigul District.

4.Mohamed Hameed,
Sub-Inspector of Police,
Keeranoor Police Station,
Dindigul District.

5.Sivaraman

: Respondents

Prayer: Petition is filed under Section 482 of the Criminal Procedure Code praying to direct the first respondent to depute any other Sub-Inspector of Police, other than the respondents 3 and 4 to investigate the case in Crime No.53 of 2019, on the file of the second respondent and file a final report in accordance with law.

For Petitioner : Mr.T.Lenin Kumar

For R-1 & R-2 : Mr.K.K.Ramakrishnan

Additional Public Prosecutor

O R D E R

This petition has been filed seeking for a direction to the first respondent to depute any other Sub-Inspector of Police, other than the respondents 3 and 4 to investigate the case in Crime No.53 of 2019, on the file of the second respondent and file a final report in accordance with law.



2.The grievance of the petitioner is that based on the complaint given by the petitioner, a case has been registered in Crime No.53 of 2019, for the offences punishable under Sections 323 and 351 of the Indian Penal Code under Section 3(1) of Tamil Nadu Public Property (Prevention of Damage and Loss) Act, 1982. Since the investigation is not in progress, the petitioner has filed this present petition.

3.Today, when the matter was taken up for hearing, Mr.K.K.Ramakrishnan, learned Additional Public Prosecutor appearing for the respondents on instructions would submit that the investigation is now in progress and the respondent Police may be permitted to file final report, within a period of two months before the concerned Jurisdictional Court.

4.Therefore, this Court is of the view that the investigation is in progress and there is no specific allegation against the investigating agency, at this stage, the prayer sought for by the petitioner cannot be granted.

5.In the result, the Criminal Original Petition stands dismissed. However, the respondent Police is directed to file a final report before the concerned Court within a period of two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

tsg

To

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

2.The Inspector of Police,
Keeranoor Police Station,
Dindigul District.

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

+1CC TO M/S.T.LENIN KUMAR, ADVOCATE, SR.NO. 70537