



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Fourth day of January Two Thousand and Nineteen

WEB COPY

PRESENT

The Hon'ble Mr. Justice A.D. JAGADISH CHANDIRA

CRL MP (MD) No.10291 of 2018

IN

CRL OP (MD) No.15806 of 2018

1 THE ADDITIONAL DIRECTOR GENERAL OF POLICE,
CRIME BRANCH CID,
BLOCK 3, 1ST FLOOR, ELECTRONIC COMPLEX,
SIDCO GUINDY, CHENNAI.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
CRIME BRANCH CID, MADURAI RANGE,
MADURAI.

3 THE INSPECTOR OF POLICE,
KOODAL PUDUR POLICE STATION,
MADURAI CITY.

... PETITIONERS

Vs

V.JEBI VICTORIA

... RESPONDENT

Prayer in CRL MP (MD) No.10291 of 2018:

Petition filed under Section 439(1) Cr.P.C. to modify the order passed in Crl.O.P.(MD)No.15806/2018 dated 05/09/2018 and direct the present investigation officer of the Assistant Commissioner of Police, Control Room, Madurai city to complete investigation in the case to file a final report.

Prayer in CRL OP (MD) No.15806 of 2018 :

Petition filed under Section 482 of Cr.P.C., praying to direct the 2nd respondent herein to file the charge sheet in original crime no.342 of 2013 on the file of the 1st respondent police within a stipulated time.

Order : This Petition coming on for hearing on this day, upon perusing the petition and earlier order of this Court and upon hearing the arguments of Mr.R.ANANDHARAJ, Additional Public Prosecutor for the petitioners and of Mr.C.MUTHUSARAVANAN, Advocate for the Respondent and this Court made the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>

This petition has been filed seeking to modify the order

passed in Crl.OP[MD]No.15806 of 2018 dated 05.09.2018.

2.The learned Additional Public Prosecutor would submit that earlier, the petitioner had filed Crl.O.P.[MD]No.11012 of 2014, to direct the respondents to give police protection to the petitioner and her children for their life and protect their dwelling house based on his representation. This Court, vide order dated 23.06.2014, considering the submissions made on either side, directed the third respondent, namely, the Inspector of Police, Koodal Pudur Police Station, to place the entire case records before the second respondent, the Deputy Superintendent of Police, Crime Branch CID, Madurai Range and on receipt of the same, the first respondent, Additional Director General of Police, Crime Branch CID, was directed to go through the papers and also to monitor the investigation.

3.The learned Additional Public Prosecutor would further submit that thereafter, the petitioner filed Crl. O.P.[MD]No.15806 of 2018, seeking to direct the second respondent to file charge sheet in original Crime No.342 of 2013, on the file of the first respondent police. He would submit that this Court had in that order directed the second respondent to complete the investigation in Crime No.342 of 2013, within two [2] months from the date of receipt of a copy of the order and either file a final report or closure report as the case may be. He would submit that as per the original order dated 23.06.2014, the Additional Director General of Police, Crime Branch CID, was only directed to give suitable instructions and also monitor the investigation. The Additional Director General of Police had been monitoring the investigation and also instructing the third respondent, namely, the Inspector of Police, to complete the investigation and file final report and that investigation was in fact done only by the third respondent.

4.The learned Additional Public Prosecutor would submit that after the merger of the Koodal Pudur Police Station with the Madurai City Police, the investigation was duly conducted by the Assistant Commissioner of Police, Control Room, Madurai City and that he is also ready with the report and that the report will be filed within a period of three [3] weeks. He would submit that the order may be clarified to the effect that the report has to be filed by the Assistant Commissioner of Police, Control Room, Madurai City and not by the Deputy Superintendent of Police, Crime Branch CID, Madurai.

5.The learned Counsel for the petitioner would object to the same, stating that the earlier direction was only to the Deputy Superintendent of Police, Crime Branch CID, Madurai, to conduct the investigation.

6.I have gone through the papers. Taking into consideration the submission, I am inclined to modify the order to the effect that the Assistant Commissioner of Police, Control Room, Madurai City,



shall file final report in Crime No.342 of 2013, originally registered by the third respondent, within three [3] weeks from the date of receipt of a copy of this order.

7.The Criminal Miscellaneous Petition is ordered accordingly.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar(CS-III)

TO

- 1 THE ADDITIONAL DIRECTOR GENERAL OF POLICE,
CRIME BRANCH CID,
BLOCK 3, 1ST FLOOR, ELECTRONIC COMPLEX,
SIDCO GUINDY, CHENNAI.
- 2 THE ASSISTANT COMMISSIONER OF POLICE,
CONTROL ROOM, MADURAI CITY.
- 3 THE DEPUTY SUPERINTENDENT OF POLICE,
CRIME BRANCH CID, MADURAI RANGE,
MADURAI.
- 4 THE INSPECTOR OF POLICE,
KODAL PUDUR POLICE STATION,
MADURAI CITY.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER DATED : 04.01.2019

CRL MP(MD) No.10291 of 2018 IN
CRL OP(MD) No.15806 of 2018

Giving direction etc., as
stated within.