



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 04.11.2019

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

Crl.O.P.(MD)No.15875 of 2019

Saravanan

.. Petitioner

Vs.

State rep. by
The Inspector of Police (Crime),
Tallakulam,
Madurai City.
Crime No.715/2014

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of the Criminal Procedure Code to direct the respondent Police to complete the investigation in Crime No.715 of 2014 and file charge sheet before the learned Judicial Magistrate II, Madurai, within a stipulated time limit.

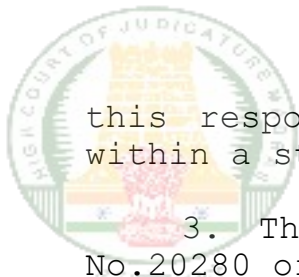
For Petitioner : Mr.K.Bhaskaran

For Respondent : Mr.R.Anandraj
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed by the petitioner for a direction to complete the investigation in Crime No.715 of 2014 on the file of the Inspector of Police (Crime), Tallakulam Police Station, Madurai, within a stipulated time limit.

2. According to the petitioner, he lodged a complaint before the respondent Police that on 30.06.2014, his wife, who went to attend a marriage function, was found missing and around 04.30 pm, she was found in a unconscious stage and the jewels worn by her was found missing. Though the complaint was registered as Crime No.715 of 2014, in the year 2014, the respondent Police has not acted upon the same and therefore, he was constrained to file an application before this Court in Crl.O.P.(MD)No.20280 of 2015 for a direction to



this respondent to complete the investigation and to file report within a stipulated time period.

3. This Court, on 26.10.2015, has disposed of Crl.O.P.(MD) No.20280 of 2015 in the following terms:

"5. Considering the submissions made on both sides and also considering the fact that the alleged occurrence took place on 30.06.2014 and on the basis of the complaint given by the petitioner, after due enquiry, the case in Crime No.715 of 2014 has been registered as early as on 18.09.2014 for the offences punishable under Sections 365 r/w 379 IPC, this Court is inclined to grant one month time to the respondent to complete the investigation and file a final report."

6. Accordingly, the second respondent is directed to complete the investigation in Crime No.715 of 2014 and file a final report, within a period of one month from the date of receipt of copy of this order."

The grievance of the petitioner is that despite the orders of this Court, the final report in Crime No.715 of 2014 is yet to be filed and therefore, he has come forward with the present application.

4. When this Court has already issued a direction to the respondent Police to file the final report within a stipulated time limit, as early as on 26.10.2015, there is no necessity for issuing a further direction in this petition. Therefore, this Court directed the respondent Police to be present before this Court to explain the reason for not complying the orders of this Court in Crl.O.P.(MD) No.20280 of 2015, dated 26.10.2015.

5. Accordingly, Mr.A.Nagarajan, Inspector of Police, D1 Thallakulam Police Station (Crime), Madurai, is present before this Court and would submit that he joined duty only two months back and in between 26.10.2015 and till date, four officers have been transferred and therefore, they have not followed the orders passed by this Court and have failed to comply with the same.

6. This reason assigned by the respondent Police, in the minds of this Court, is not appreciable. However, considering the undertaking given by Mr.A.Nagarajan, Inspector of Police, D1 Thallakulam Police Station (Crime), Madurai, that he would look into this case and would ensure that the final report would be filed within a period of four weeks from today, this Court is not inclined to make any further observations.

7. In view of the undertaking given by the respondent Police, namely, Mr.A.Nagarajan, Inspector of Police, D1 Thallakulam Police Station (Crime), Madurai, this Criminal Original Petition is disposed of.



8. Post the matter on **03.12.2019**, for reporting compliance.

Sd/-

Assistant Registrar (CS-II)

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// True Copy //

Sub Assistant Registrar(CS)

gk

To

- 1.The Judicial Magistrate II,
Madurai.
- 2.The Inspector of Police (Crime),
Tallakulam,
Madurai City.

Copy to:1.Mr.A.Nagarajan, Inspector of Police
D1, Tallakulam Police Station(Crime),
Madurai City.

2.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.K. BHASKARAN, Advocate SR-96254[F] dated 06/11/2019.

Cr1.O.P. (MD)No.15875 of 2019
04.11.2019

CS(13.11.2019) 3P 6C