

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5334 of 2020

Rathinakumar

... Petitioner/Informant

Vs.

The State represented by,
The Assistant Commissioner of Police,
Villivakkam,
Chennai.
(Crime No.171 of 2016)

... Respondent/Complainant

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the learned XIII Metropolitan Magistrate, Egmore, Chennai - 600 008 to dispose the petition filed by the petitioner in Crl.M.P.No.1371 of 2017 as expeditiously as possible to secure the ends of justice.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned XIII Metropolitan Magistrate, Egmore, Chennai, to dispose the petition filed by the petitioner in Crl.M.P.No.1371 of 2017 as expeditiously as possible.

2 The facts of the present case are that FIR in Crime No.171/2016 came to be registered by V1, Villivakkam Police Station, for the alleged offences under Sections 419, 420, 465, 468 & 471 of IPC read with section 3(1)(iv)(v)(xv) of SC/ST (Prevention of Atrocities) Act, on 11.03.2016, on the basis of the complaint dated 23.07.2014, preferred by the petitioner herein, the power of attorney of one Mrs.Parvathi Ammal, who died subsequent to the lodging of the above said complaint. The crux of FIR is that the accused named in FIR had forged and fabricated and the documents in respect of the lands belonging to the said Parvathi Ammal, by obtaining her signatures by making false promises and based on the same, the accused person some have managed to register the documents signed by the said Parvathi Ammal. When the complaint was lodged, the Investigating Agency did not carry out the

investigation in a proper perspective and also filed the closure report hurried manner. Hence, the petitioner filed a protest petition under Section 173(8) Cr.P.C on 08.07.2016, on the file of the Court of XIII Metropolitan Magistrate, Egmore, Chennai. Since, the said protest petition has not been disposed of till date, the petitioner has come up to the present petition seeking direction to the learned Magistrate.

3 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent and perused the materials placed on record.

4 Taking into consideration the facts and circumstances, this Court directs the learned XIII Metropolitan Magistrate, Egmore, Chennai - 600 008 to dispose of the petition filed by the petitioner in CrI.M.P.No.1371 of 2017 within a period of twelve weeks from the date of receipt of a copy of this order.

5 Accordingly, the Criminal Original Petition is disposed of with the above directions.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Assistant Commissioner of Police,
Villivakkam, Chennai.

2.XIII Metropolitan Magistrate,
Egmore, Chennai - 600 008.

3.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.R.Sankarasubbu, Advocate, S.R.No.20369

CrI.O.P.No.5334 of 2020

RSK(CO)
RSI(22/05/2020)