

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2020

CORAM :

THE HONOURABLE MR.JUSTICE R.PONGIAPPAN

CRL.O.P.NO.16089 OF 2020

D.Padayathal

... Petitioner/Defacto
complainant

Vs

The State Rep., by,
Inspector of Police,
Central Crime Branch,
Chennai, Chennai District.

.... Respondent/Complainant

PRAYER:

Criminal Original Petition filed under Section 482 of Criminal Procedure Code to direct the respondent to file final report in Cr.No.28 of 2019 on the file of the respondent within a stipulated time.

For Petitioner : No appearance.

For Respondents: Mrs.M.Prabhavathi,
Additional Public Prosecutor.

O R D E R

The matter was heard through "Video Conference".

2.This Criminal Original Petition has been filed seeking a direction, to direct the respondent to file final report in Crime No.28 of 2019 pending on the file of the respondent police, within the stipulated time as prescribed by this Court.

3.Heard Mrs.M.Prabhavathi, learned Additional Public Prosecutor appearing for the respondent and there is no appearance for the petitioner.

4.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.

5.Today, when the petition has come up for hearing, the learned Additional Public Prosecutor appearing for the respondent police on instructions, would submit that as per the allegations mentioned in the petition mentioned FIR, it is necessary to trace out the documents pertaining to S.No.387/33, Patta No.12695, for which considerable time is required for completing investigation.

6.On considering the said submission, it would be relevant to see the date on which petition mentioned FIR has been registered. Admittedly, the same has been registered on 08.02.2019 and subsequently, for the past one and half a year, the said FIR is pending on the file of the first respondent for the purpose of investigation. Therefore, considering the facts and circumstances of the case, it would be appropriate to direct the respondent police to complete the investigation within a period of three months.

7.Accordingly, the respondent police is directed to file final report in Crime Number 28 of 2019 within a period of three months from the date of receipt of copy of this order.

8.With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Inspector of Police,
Central Crime Branch, Chennai,

2.The Public Prosecutor,
High Court of Madras, Chennai.

Crl.O.P.No.16089 of 2020

GP(CO)
CS/03/11/2020