

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.12.2020

CORAM:

THE HON'BLE MR.JUSTICE R.PONGIAPPAN

CRL.O.P.NO.19581 OF 2020

Captain Jacob Selvaraj,
Honorary Secretary,
The Madras Flying Club Ltd.,
Old Air Port, Chennai-27.

...Petitioner

-Vs-

1. The Inspector of Police,
S3, Meenambakkam Police Station,
Chennai-27.
2. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai - 600 007.

... Respondents

Prayer:

Criminal Original Petition filed under section 482 of Criminal Procedure Code, to direct the 1st respondent to recover the stolen vehicle Maruti Gypsy Registration Number DL 12C 6521 from the Accused Mr.Rajkumar and to file the final report as per order in Crl.M.P.No.1014 of 2018 dated 24.08.2018 in the Crime No.487 of 2017 on the file of the 1st respondent.

For Petitioner : Mr.V.Raja Saravanan

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.487 of 2017 pending on the file of the first respondent police, within the stipulated time as prescribed by this Court.

3.Heard Mr.V.Raja Saravanan, learned counsel appearing for the petitioner and Mrs.M.Prabhavathi, learned Additional Public

Prosecutor appearing for the respondents.

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 would request that considerable time is required for completing the investigation.

6. On considering the said submission, it would be relevant to see the year on which petition mentioned FIR has been registered. Admittedly, the same has been registered during the year 2017 and subsequently, for the past three years, 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 and file a final report within a period of four months.

7. Accordingly, the respondent police is directed to file final report in Crime Number 487 of 2017 within a period of four months from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mfa

To

1. The Inspector of Police,
S3, Meenambakkam Police Station,
chennai-27.

2. The Commissioner of Police,
Office of the Commissioner of Police,
Vepery, Chennai - 600 007.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.V.Raja Saravanan, Advocate, S.R.No.40009

Crl.O.P.No.19581 of 2020

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CS/19/01/2021



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