



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2020

CORAM:

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Cr1.O.P.(MD)No.388 of 2020

Kumara Bala

... Petitioner

Vs

The Inspector of Police
Srivaikundam Police Station
Thoothukudi District

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to file the charge sheet in Crime No.185 of 2018 pending on his file before the learned Judicial Magistrate, Srivaikundam, Thoothukudi District as expeditiously as possible and further direct the said learned Judicial Magistrate, Srivaikundam, Thoothukudi District to complete the trial and dispose of the same within a time frame as fixed by this Honourable Court.

For Petitioner : Mr.Dhilipan Pandian
for Mr. S.Elumalai

For Respondent : Mr.S.Chandrasekar
Additional Public Prosecutor

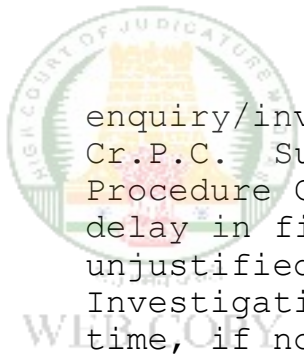
ORDER

This Criminal Original Petition has been filed seeking a direction to direct the respondent to file final report in Crime No.185 of 2018 pending on his file before the learned Judicial Magistrate, Srivaikundam, Thoothukudi District as expeditiously as possible and further direct the said learned Judicial Magistrate, Srivaikundam, Thoothukudi District to complete the trial and dispose of the same within a time frame as fixed by this Honourable Court.

2.The learned counsel for the petitioner would submit that the petitioner is a engineering graduate and due to the pendency of this case he is unable to get employment and thereby seeks direction to the trial court to complete the trial as expeditiously as possible.

3. Heard the learned Additional Public Prosecutor for the respondent.

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.Considering the facts and circumstance of the case, this Court directs the respondent police to complete the investigation in Crime No. 185 of 2018, pending on his file and file a final report within a period of one month from the date of the receipt of a copy of this Order. Further the learned Magistrate is directed to complete the trial proceedings preferably within a period of four months from the date of taking cognizance of the final report.

5. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate, Srivaikundam, Thoothukudi District

2. The Chief Judicial Magistrate, Thoothukudi.

3.The Inspector of Police
Srivaikundam Police Station
Thoothukudi District

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.ELUMALAI, Advocate (SR-1556[F] dated 10/01/2020)

Cr1.O.P. (MD) No.388 of 2020
10.01.2020

NS (CO)
TR(22.01.2020) 2P 6C