



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

WEB COPY

CRL OP(MD)No.7397 of 2020

Mr.S.Mathisekaran

... Petitioner /De-facto
Complainant

Vs.

The Inspector of Police,
Theppakulam Police Station,
Madurai City,
Madurai District.
(Crime No.803 of 2020)

... Respondent/Complainant

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, praying to direct the respondent to file a final report in Crime No.803 of 2020 dated 09.06.2020 on the file of the respondent within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondent : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the third respondent police to file a final report in Crime No.803 of 2020 for the offence under Sections 420, 406, 294(b) and 506(i) IPC, on the file of the respondent police.

2.Heard the learned Counsel for the petitioner and learned Additional Public Prosecutor for the respondent police.

3.The learned counsel appearing for the petitioner submits that after the registration of the case, the accused attempted to sell the machineries situated in the occurrence place and try to dismantle the other materials place there. Hence, it is necessary to complete the investigation and file a final report immediately.

4.Per contra, the learned Additional Public Prosecutor appearing for the respondent police would submit that on 11.06.2020, after the registration of the case, both the petitioner and the accused appeared before the respondent police.

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to intervention of the respondent police, the



dispute between the petitioner and the accused was compromised. Hence, the complaint was closed. He further submit that the respondent police is made arrangements for filing a charge sheet before the Court concerned.

5. However, the learned counsel appearing for the petitioner denied the submission made by the learned Additional Public Prosecutor by saying that no compromise was entered between the petitioner and the accused.

6. In such circumstances, it is the duty of the respondent police that 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.

7. Considering the facts and circumstance of the case, this Court directs the respondent police to complete the investigation in Crime No.803 of 2020, pending on his file and file a final report as early as possible.

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

Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

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To

1.The Inspector of Police,
Theppakulam Police Station,
Madurai City,
Madurai District.

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

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KM (27.07.2020) 3P 3C