



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.09.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **R.PONGIAPPAN**

Crl.O.P.(MD)No.9842 of 2020

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K.Abdul Rahim

... Petitioner

Vs.

1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

2.The Inspector of Police,
Kenikkarai Police Station,
Kenikkarai,
Ramanathapuram District.
(Crime No.147 of 2019)

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent to file the final report in Crime No.147 of 2019 pending on the file of the second respondent police within the time fixed by this Court.

For Petitioner	: Mr.N.Pragalathan
For R-1 and R-2	: Mr.S.Chandrasekar
	Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the second respondent to file the final report in Crime No.147 of 2019 pending on the file of the second respondent police within the time fixed by this Court.

2.The case of the prosecution is that the petitioner is the President of Masjith Thakva Jamath Trust, Velipattinam, Ramanathapuram District. During the time of occurrence, totally seven persons created a forged Facebook account in the name of the petitioner as if the petitioner has created the same. Through the said Facebook account, they abused the trust members and their family. Ultimately, they attempted to create enmity between the Muslim Community. In this regard, the petitioner lodged a complaint on 17.05.2019 and thereafter, the second respondent herein registered a case in Crime No.147 of 2019 for the offences punishable under Section 504, 505(2) of I.P.C and Section 66-A of the Information Technology Act against seven persons.

3.In respect to the investigation, the learned Additional Public Prosecutor appearing for the respondents 1 and 2, on



instructions, would submit that after registration of the case, all the accused in Crime No.147 of 2019 had absconded from the place in which they were resided. However, they continued the same offence even after giving warning by the police officials. The said submission is recorded.

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4.Now considering the facts and circumstances of the case, it is apparent that even after registering the case the accused in the alleged occurrence committed the same offence. Further after registration of the case for the past one year all the accused herein were not arrested by the second respondent police. The reason for non-arresting the accused is best known to the second respondent alone. On the other hand, since the offence committed by the accused is serious one, it is appropriate to give direction to the respondent police to complete the investigation and file a final report.

5.In view of the above observations, this Criminal Original Petition is disposed of with a direction to the second respondent to complete the investigation in Crime No.147 of 2019 and file a final report within a period of two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

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.

To

- 1.The Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.
- 2.The Inspector of Police,
Kenikkarai Police Station,
Kenikkarai,
Ramanathapuram District.



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

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VB (28.09.2020) 3P 4C