



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.09.2020**

CORAM:

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

CrI.O.P. (MD)No.10028 of 2020

WEB COPY

Kirupa Rani

... Petitioner

Vs.

1.The Additional Director General of Police,
Human Rights and Social Justice Crime Investigation Department,
Post Box No.601, Dr.Radhakrishnan Salai,
Mylapore,
Chennai 600 004.

2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Thanjavur District.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur District.

4.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pattukottai Taluk,
Thanjavur District.

5.The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the fourth respondent to conduct further investigation in Crime No.1292 of 2020 on the file of the fifth respondent by incorporating the actual offences committed by the accused and file the final report within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

For Respondents : Mr.A.P.G.Ohm Chairma Prabhu
Government Advocate (CrI. Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the fourth respondent to conduct further investigation in Crime No.1292 of 2020 on the file of the fifth



respondent by incorporating the actual offences committed by the accused and file the final report within the time stipulated by this Court.

2.Today, when the petition is taken up for hearing, the learned Government Advocate (crl.side) appearing for the respondents, on instructions, would submit that initially when at the time of registering the FIR, a case has been registered against the seven persons for the offence punishable under Sections 147, 148, 294(b), 120-B, 324, 307 and 506(ii) of I.P.C. Subsequently, after examining the witnesses, awaiting wound certificate the case records as kept pending with the fifth respondent police station.

3.In the said circumstances, considering the prayer sought for by the petitioner in this application, it is settled position that during the time of investigation this Court cannot direct the Investigation Officer to conduct the investigation as directed by this Court. Moreover, in respect of the prayer sought for in this petition, when at the time the case is posted for framing charge, the petitioner is having the right to argue before the trial Court. Further, for the reason that the case pertains to this petition has been registered on 01.08.2020, it is not necessary to issue positive direction to the Investigation Officer to file a final report within a stipulated period.

4.With the above observations, this Criminal Original Petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// 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 Additional Director General of Police,
Human Rights and Social Justice Crime Investigation Department,
Post Box No.601, Dr.Radhakrishnan Salai,
Mylapore, Chennai 600 004.



2.The District Collector and District Magistrate,
Office of the District Collector and District Magistrate,
Thanjavur District.

3.The Superintendent of Police,
Office of the Superintendent of Police,
Thanjavur District.

4.The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Pattukottai Taluk, Thanjavur District.

5.The Inspector of Police,
Pattukottai Taluk Police Station,
Thanjavur District.

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

CrI.O.P.[MD]No.10028 of 2020
21.09.2020

SE (CO)
AP (06/10/2020) 3P 7C