



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.09.2020

CORAM:

THE HONOURABLE Mr.JUSTICE R.PONGIAPPAN

CRL OP(MD)No.10073 of 2020

Ponnusamy

... Petitioner

Vs.

1.The Commissioner of Police,
O/o.Commissioner of Police,
Tirunelveli City.

2.The Assistant Commissioner of Police,
O/o.Assistant Commissioner of Police,
Palayamkottai,
Tirunelveli City.

3.The Inspector of Police,
City Crime Branch,
Tirunelveli City.
(Cr.No.7 of 2020)

... Respondents

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, to direct the 3rd respondent to file the final report in Cr.No.07 of 2020, dated 04.02.2020 for the offences under Sections 420, 465, 468 and 471 of IPC, under the supervision of the 1st respondent, within a stipulated time frame fixed by this Court.

For Petitioner : Ms.S.Velrajan

For Respondents : Mr.R.Erottuchamy
Govt.Advocate (Crl.side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to direct the 3rd respondent to file the final report in Crime No.07 of 2020, for the offences under Sections 420, 465, 468 and 471 of IPC, under the supervision of the 1st respondent.

2.Heard the learned Counsel appearing for the petitioner and learned Government Advocate for the respondents.



3. The learned Government Advocate (Crl.side) appearing for the respondent Police, on instructions, would submit that the investigation is in the progressive stage. He would further submit that since the police officers were busy in their duties to combat unprecedented situation arising from the COVID-19 Pandemic, some more time is required to file the final report. The submission made by the learned Government Advocate is placed on record.

4. In general, 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. Though the delay in filing the final report in the present case is not having any inordinate delay, since the victim is secured, it is very easy for the Police officer to file the final report immediately.

5. However, on considering the other circumstances, in this case, the alleged FIR has been registered on 04.02.2020 and subsequently, from the month of March 2020, due to COVID-19, the Government imposed an order of Lock-down and thereby, the movements of public and other things are restricted. Only now some relaxation was given by the Government and therefore, it cannot be said the 3rd respondent is lethargically conducting the investigation in this matter. Some breathing time is required for completing these type of offences. Therefore, considering the facts and circumstances of the case, this Court directs the 3rd respondent police to complete the investigation in Crime No.07 of 2020, pending on his file and file the final report, as early as possible, preferably, within a period six months from the date of receipt of a copy of this order.

6. With the above observations and direction, this Criminal Original Petition stands disposed of.

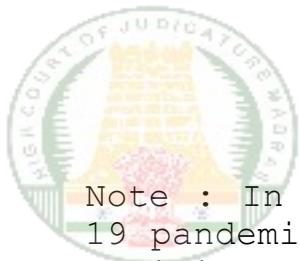
Sd/-

Assistant Registrar(CS-I)

// 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.

To

- 1.The Commissioner of Police,
O/o.Commissioner of Police,
Tirunelveli City.
- 2.The Assistant Commissioner of Police,
O/o.Assistant Commissioner of Police,
Palayamkottai,
Tirunelveli City.
- 3.The Inspector of Police,
City Crime Branch,
Tirunelveli City.

COPY TO

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

**CRL OP(MD)No.10073 of 2020
23.09.2020**

SS(CO)

TR(05.10.2020) 3P 5C