



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.08.2020**

CORAM:

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

CrI.O.P.[MD]No.16444 of 2018

WEB COPY

C.Selvam

... Petitioner

Vs.

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

2.The Inspector of Police,
Appanthiruppathy Police Station,
Madurai District.
(In Crime No.163 of 2018)

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondents to secure the accused Nos.2 to 5 and other unnamed accused in order to prevent them from fleeing away, involved in the crimes in crime No.163/2018 on the file of the second respondent police station and further direct the first respondent to monitor the case.

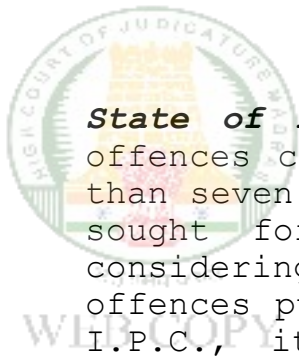
For Petitioner	: Mr.R.Gowrishankar
For Respondents	: Mr.S.Chandrasekar, Additional Public Prosecutor

O R D E R

This criminal original petition has been filed seeking a direction to direct the respondents police to secure the accused Nos.2 to 5 and other unnamed accused in order to prevent them from fleeing away, involved in the case in crime No.163/2018 on the file of the second respondent police station and further direct the first respondent to monitor the case.

2.Today, when the petition came up for hearing, the learned Additional Public Prosecutor appearing for the respondents police, on instructions, would submit that in the petition mentioned First Information Report registered in Crime No.163/2018 for the offences punishable under Sections 406, 420, 419, 471 and 506(i) of I.P.C., except the fifth accused all other accused were granted anticipatory bail by the competent Court. According to him, only A-5 is yet to be secured in this case.

3.Now on considering the prayer sought for by the petitioner, directing the respondents to secure the accused is against the judgment of our Hon'ble Apex Court in the case of **Arnesh Kumar Vs.**



State of Bihar reported in **2014 (8) SCC 273**, since the alleged offences committed by the accused did not have any punishment more than seven years. Therefore, in the said circumstances, the prayer sought for by the petitioner cannot be granted. However, considering the fact that the case has been registered for the offences punishable under Sections 406, 420, 419, 471 and 506(i) of I.P.C., it is appropriate to direct the second respondent to complete the investigation within the stipulated time.

4.In view of the above, the second respondent is directed to complete the investigation within a period of two months from the date of receipt of a copy of this order and file a final report before the concerned Judicial Magistrate without fail.

5.With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

// 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,
Madurai District, Madurai.
- 2.The Inspector of Police,
Appanthiruppathy Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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