

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2021

CORAM :

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

Crl.O.P.No.1731 of 2021

Indian Medical Association,
Tamil Nadu State Branch (IMA TNSB)
Represented by its Authorized Signatory & Chairman
Committee for Financial Irregularity IMA TNSB
Dr.Kanagasabhapathy,
Doctors Colony, Bharathi Nagar,
West Tambaram,
Chennai - 600 045.

.. Petitioner

The State
Rep. by its Inspector of Police,
Central Crime Branch - II
Veppery, Chennai.

Vs.

.. Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the respondent to conduct free and fair investigation and file a final report in Crime No.149 of 2018 dated 06.09.2018 in accordance with law.

For Petitioner : Mr.Abdul Saleem
For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed for a direction to the respondent police to complete the investigation and file a final report in Crime No.149 of 2018 within the time frame fixed by this Court.

2. When the matter came up for hearing on 04.02.2021, this Court took note of the earlier order passed, wherein, this Court had fixed a time limit for completion of the investigation. The respondent police had not filed a final report within the time limit fixed by this Court. Therefore, this Court directed the respondent to file a status report explaining the reason for the delay in completion of the investigation.

3. The status report has been filed by the respondent police. The status report reveals the fact that nearly 16 witnesses have been examined by the investigating officer and several materials were collected during the course of investigation. At paragraph No.14 of the status report, the documents sought for by the investigation officer has been listed. The investigation officer has sought for one more year

to complete the investigation in this case.

4. The learned counsel for the petitioner submitted that inspite of utmost co-operation extended by the Indian Medical Association, the respondent police has not carried out an effective investigation in this case. The learned counsel further submitted that the FIR was registered in the year 2018 and there is absolutely no reason to seek for extension of time of one year to complete the investigation.

5. The learned Additional Public Prosecutor appearing on behalf of respondent submitted that the respondent has been effectively proceeding further with the investigation in this case. The learned counsel further submitted that there are certain vital documents which have been sought for in the course of investigation and immediately on receipt of these documents, the Investigation officer will complete the investigation within the time frame fixed by this Court.

6. Taking into consideration the facts and circumstances of the case and also of the fact that the queries raised by the investigation officer has also been submitted by the petitioner association, this Court directs the respondent police to complete the investigation and file a final report, within a period of three months from today. Considering the seriousness of the offence, there shall be a direction to the Assistant Commissioner, EDF II, to monitor the investigation conducted by the respondent police and ensure that the investigation is completed within the time fixed by this Court.

7. This Criminal Original Petition is disposed of with the above directions.

8. Post this case under the caption for reporting compliance on 02.06.2020.

16.02.2021

Index :Yes/No
Internet:Yes/No
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To

1. The Assistant Commissioner,
EDF II, Vepery
2. The State
Rep. by its Inspector of Police,
Central Crime Branch - II
Veppery, Chennai.
3. The Additional Public Prosecutor,
High Court, Madras.



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N.ANAND VENKATESH, J.

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