

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.05.2021

CORAM

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

CRL.O.P.NO.9115 OF 2021

M. Devi

...Petitioner

Versus

1.The Commissioner of Police,
O/o. Commissioner of Police,
E.V.K. Sampath Road, Vepery,
Chennai 600 007.

2.The Inspector of Police, (crime),
M-3 Puzal Police Station,
Chennai 600 066

...Respondents

This Criminal Original Petition is filed under Section 482 of Cr.P.C praying to direct the 2nd respondent to conduct further investigation and include all the offences committed by the accused stated in the complaint and file a fresh FIR.

For Petitioner : Mr.R. Arun Kumar
For Respondents : Mr.Charles Premkumar,
Govt. Advocate (Crl. Side)

ORDER

This petition is filed seeking a direction from the Court to conduct a further investigation and include all the offences committed by the accused stated in the complaint and file a fresh First Information Report and thus render justice.

2. From the First Information Report filed along with the petition in the form of typed set, it is seen that the petitioner has given a complaint on 21.10.2020 alleging among other things that she owns Ashok Leyland vehicle bearing Registration No.TN 28 C 7403, a 10 wheeler. Due to Covid-19, the vehicle was not used for plying and it was kept idle near Kirushna Motor Buiding, Vegetarian Village Main Road, Puzhal. One Dhandapani and Shaji approached the son of the petitioner for leasing the vehicle on the promise of paying Rs.40,000/- per month. On 16.10.2020, the said Shaji and his driver met his son and wanted to test drive the lorry. It was found that the front

right wheel of the vehicle got punched. It was set right and they drove the lorry for 15 feet. Since their approach was not satisfactory, the petitioner and his son asked them to pay Rs.1,00,000/- as an advance. They refused to pay the advance. Therefore, his son refused to give the vehicle to them, on lease. Then on 21.10.2020, at about 3.00 p.m., the petitioner found that the vehicle was found missing. He suspected that the Dhandapani and Shaji might have stolen the vehicle. Therefore, the complaint was given.

3. Now, the learned counsel for the petitioner would submit that the vehicle was missing from 21.10.2020. He wants to include other offences as well. This is the case of theft simpliciter. On the basis of the complaint dated 21.10.2020, the case was registered under Section 379 IPC, probably the date of theft of the vehicle was from 16.10.2020 to 21.10.2020. Other particulars have been included in the First Information Report. Therefore, this Court is of the considered view that it is not necessary for registering any new First Information Report.

4. It is represented by the learned Government Advocate (crl. Side) that investigation in this case is still pending. The respondent police is directed to expedite the investigation and file the final report at the earliest possible, preferably, within a period of 3 months from the date of receipt of a copy of this order.

5. This Criminal Original Petition is disposed of on the above terms.

Sd/-
Assistant Registrar(VO)

//True Copy//

Sub Assistant Registrar

mrp

To

1.The Commissioner of Police,
O/o. Commissioner of Police,
E.V.K. Sampath Road, Vepery,
Chennai 600 007.

2.The Inspector of Police,(crime),
M-3 Puzal Police Station,
Chennai 600 066

3.The Public Prosecutor,
High Court of Madras,
Chennai - 600 104.

Crl.O.P.No.9115 of 2021

UM(CO)
KKV/14/06/2021



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