



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.04.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

Crl.O.P.(MD)No.6024 of 2021

Kamala

... Petitioner

Vs.

State Rep. by the Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.
(Crime No.73 of 2021)

... Respondent

Prayer : Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the Respondent Police to file the final report/charge sheet in connection with Crime No.73 of 2021, dated 10.02.2021 within the time frame that may be fixed by this Court.

For Petitioner : Mr.S.Balamurugan

For Respondent : Mr.K.SuyambulingaBharathi
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition is filed seeking a direction to the respondent police to file the final report/charge sheet in connection with Crime No.73 of 2021, dated 10.02.2021 within the time frame that may be fixed by this Court.

2. The case of the prosecution is that she owned lands comprised in S.Nos.22/2, 30/14, 52/8 and 60/5 situated at Melaiyur Village. The petitioner has engaged the accused persons namely Kumaraguru to look after her properties as mentioned supra. Later said Kumaraguru started to raise crops and failed to share the yield despite demand made by the petitioner. When the petitioner enquired about the accused person, she came to know that he did not raise any crops but he lent the petitioner's land for sublease to third persons and he also procured fasli in his name by playing fraud. Thus he committed breach of trust and also cheated the Government authorities by playing fraud. The accused person also grabbed the adjoining lands and now altering physical features of petitioner property, altering the boundaries, now the accused person is threatening to sell the petitioner's property for meagre sum. When petitioner heard reasons, the accused person left criminal intimidation as to finish her off. There is no progress on her



complaint, the petitioner sent complaint to the Superintendent of Police on 25.09.2020. However, no FIR was registered which constrained the petitioner to approach the Jurisdictional Magistrate and filed appropriate petition in Crl.MP.No.1747 of 2020, and the same was allowed by order dated 09.12.2020 and in pursuance of the same, an FIR was registered in Crime No.73 of 2021, dated 10.02.2021 for the offences under Sections 417, 420, 468, 506(ii) of IPC. Eventhough, the petitioner lodged a complaint as early as on 20.08.2020, the respondent police registered an FIR Only on 10.02.2021. Since the petitioner made out a prima facie case, the respondent police ought to have completed the investigation within 60 days. However, the respondent Police did not take any action either to secure the accused or to complete the investigation and they are purposely prolonging the investigation making the accused person to get bail from the Court. Hence the present Criminal original Petition is filed.

3. The case registered in Crime No.73 of 2021 for the offences punishable under Sections 417, 420 & 468, 506(ii) of IPC. He seeks direction on the ground that there is no progress in the investigation.

4. The learned Public Prosecutor would submit that the case is of the year 2021 and the first accused has been granted with anticipatory bail by the concerned court.

5. Considering the nature of the offence, the respondent police is directed to complete the investigation and file the final report within a period of three months from the date of receipt of a copy of this order.

6. Recording the same, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

kmm

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 Inspector of Police,
Thiruneelakudi Police Station,
Thanjavur District.

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

+1 CC to M/s.S.BALAMURUGAN, Advocate (SR-17821[F] dated
28/04/2021)

Crl.O.P. (MD)No.6024 of 2021

PM(CO)

TR(25.06.2021) 3P 4C