



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE G.ILANGOVA

Cr1.OP(MD).No.5975 of 2021

WEB COPY

G.Muthu @ Muthuraj

: Petitioner/Accused No. 4

Vs.

Inspector of Police,
Ariyamangalam Police Station,
Trichy.

Crime No.(456 of 2020)

: Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the respondent police to file the final report in connection with the case in Crime No.456 of 2020 on the file of the respondent police.

For Petitioner : Mr.Muthamizh Selvakumar

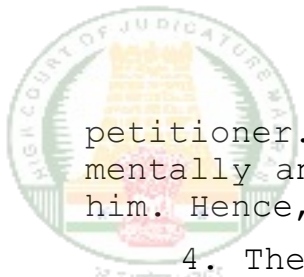
For Respondents : Mr.K.Suyambulinga Bharathi,
Government Advocate.

ORDER

This Criminal Original Petition is filed seeking a direction to the respondent police to file the final report in connection with the case in Crime No.456 of 2020 on the file of the respondent police.

2. The case of the prosecution is that on 29.08.2020, one Kaliyamoorthy, who was in the station duty received information from Government Hospital, Trichy and based on that information the respondent officials went to the hospital in order to take the statement from one Mathanraj, who was the defacto complainant. According to the statement of the defacto complainant, on 28.08.2020, the defacto complainant and his brothers went to their friend's house. At the time, the first accused questioned the defacto complainant as to why he had touch with one Anbu and attacked with wooden log on the head of the defacto complainant. In the sudden attack, he sustained injuries on the right eye. When the brother of the defacto complainant questioned the same, the fourth accused attacked the defacto complainant's brother using hands. Both of them sustained injuries and they escaped from the place of occurrence.

3. Based on the statement, the respondent police registered FIR in Crime No.456 of 2020 under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC dated 29.08.2020. After registering of the case, the Statutory period has expired but the respondent did not complete the investigation and file the final report. The petitioner is prepared to go to abroad, and pendency of this case would affect his chance of going to abroad. The petitioner grievance is that he is not connected to the said offence, he would face the trial and prove his innocence. The delay in investigation causes mental stress to the



petitioner. The respondent police is also harassing the petitioner mentally and they are trying to foist some other false case against him. Hence, he filed this Criminal Original Petition.

4. The learned counsel for the petitioner would submit that the petitioner is the fourth accused in Crime N.456 of 2020, which was based on the complaint given by the defacto complainant for the offences under Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC, dated 29.08.2020. The petitioner is going to abroad seeking employment. In order to get passport soon, he should prove his innocence before the trial court and on the ground he seeks direction from this Court.

5. The learned Additional Public Prosecutor would submit that the case is of the year 2020 and two months time may be given to the respondents to conclude the investigation and file the final report.

6. Recording the submissions of the learned Additional Public Prosecutor, the respondent is directed to complete the investigation and final report before the concerned Court within a period of two months from the date of receipt of a copy of this order.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1.The Inspector of Police,
Ariyamangalam Police Station,
Trichy.

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

+1 CC to M/s.MUTHAMIZH SELVAKUMAR, Advocate (SR-18032[F] dated 29/04/2021)

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MGJ(12.08.2021) 2P 4C