



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.08.2021

CORAM:

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

Crl.O.P.(MD)No.12213 of 2021

P. Madasamy

... Petitioner

Vs

1. State Rep.by
The Superintendent of Police
Virudhunagar District
Virudhunagar

2. The Inspector of Police
Thiruthangal Police Station
Thiruthangal
Virudhunagar District

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent police to file a final report before the learned Judicial Magistrate No.II, Sivakasi in Crime No. 302 of 2019 pending investigation on the file of the second respondent police.

For Petitioner : Mr.R.Meenakshisundaram

For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed seeking a direction to direct the respondent police to file a final report before the learned Judicial Magistrate No.II, Sivakasi in Crime No. 302 of 2019 pending investigation on the file of the second respondent police.

2.Heard the learned counsel for the petitioner. The learned Additional Public Prosecutor for the respondent would submit that the final report is made ready on 16.03.2020 and is yet to be filed before the concerned Court.

3.Whenever any information in relation to commission of cognizable or non-cognizable offence is received, the police officer shall adhere to the procedure contemplated under Sections 154 & 155 of the Criminal Procedure Code and after conducting necessary enquiry/investigation, file final report under Section 173 of Cr.P.C. Such investigation under Chapter XII of the Criminal Procedure Code shall be completed without any unnecessary delay. The delay in filing a final report in the present case is inordinate and unjustified. Hence, it would be appropriate to direct the



Investigating Officer to file a final report within a stipulated time, if not already filed.

4.Considering the facts and circumstance of the case, this Court directs the second respondent police to file the a final report before the concerned Court immediately without any delay. The petitioner is at liberty to proceed inaccordance with law.

5. This Criminal Original Petition is disposed of accordingly.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

- 1.The Judicial Magistrate NO.II,
Sivakasi.
- 2.The Superintendent of Police
Virudhunagar District
Virudhunagar
3. The Inspector of Police
Thiruthangal Police Station
Thiruthangal
Virudhunagar District
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Crl.O.P. (MD)No.12213 of 2021
26.08.2021

RD(6.09.2021) 2P 5C