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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.09.2021**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**
Crl.O.P. (MD) No.14341 of 2021

K.C.K.Samy

...Petitioner

Vs.

1. The Superintendent of Police,
O/o. Superintendent of Police,
Tuticorin.

2. The Inspector of Police,
Muthaiahpuram Police Station,
Tuticorin District.

(In Crime No.255/2021)

...Respondents

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the 1st respondent to monitor the investigation being conducted by 2nd respondent in crime number 255/2021 on the file of the 2nd respondent in order to ensure the same is in accordance with law and thereby consequently direct the 2nd respondent to file the charge sheet against the accused.

For Petitioner : Mr.C.M.Arumugam

For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (Crl.Side)

ORDER

This petition is filed seeking direction to the 2nd respondent to complete the investigation and file the final report under the direct supervision of the 1st respondent herein within the time stipulated by this Court.

2.It is a dispute between the brothers. The dispute arose between them over the share of the family property, based upon which, the case has been registered on 13.08.2021 for the offences punishable under Sections 109, 341, 294(b), 324 and 506 (2) of IPC. The grievance of the petitioner is that the offence under Section 326 of IPC is not included and no proper enquiry has been undertaken so far.



3.The learned Government Advocate (CrI.Side) for the respondents would submit that 10 witnesses have been examined and the wound certificate is yet to be received. He seeks 6 months time to complete the investigation and file the final report before the concerned Court.

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4.Since it is a dispute between the brothers, question of monitoring the investigation by the 1st respondent may not be proper and there is no genuine grievance has been expressed against the 2nd respondent herein. Since so far 10 witnesses have been examined, there shall be a direction to the 2nd respondent herein to complete the investigation and file the final report within a period of 6 months from the date of receipt of a copy of this order. After completing the formalities, compliance report must be submitted to the Registry.

5.With the aforesaid direction, this petition stands disposed of.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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 Superintendent of Police,
O/o. Superintendent of Police,
Tuticorin.
2. The Inspector of Police,
Muthaiahpuram Police Station,
Tuticorin District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.C.M.ARUMUGAM, Advocate (SR-30238[F] dated 24/09/2021)

CrI.O.P. (MD) No.14341 of 2021
24.09.2021

MK/04.10.2021/2P/5C

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