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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2022

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P(MD)No.16316 of 2021

Saravanan ... Petitioner/Victim

Vs.

1. The Superintendent of Police,
   Office of the Superintendent of Police,
   Virudhunagar District.

2. The Inspector of Police,
   DCB Police Station,
   Virudhunagar,
   Virudhunagar District. ... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to direct the second respondent to conduct a fair investigation in connection with Crime No.5 of 2021 on the file of the second respondent and to proceed further by seizing and recovering the vehicle which were all sold unauthorized by the accused No.1 & 2 or the said case without the consent of the owners of the vehicle and also to file final report within a time frame limit.

For Petitioner : R.Babu Jaganath
For Respondents : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the second respondent to conduct a fair investigation in connection with Crime No.5 of 2021 on the file of the second respondent and to proceed further by seizing and recovering the vehicle which were all sold unauthorized by the accused No.1 & 2 or the said case without the consent of the owners of the vehicle and also to file final report within a time frame limit.

2.When the matter is taken up for hearing, the learned Additional Public Prosecutor submitted that investigation is pending in Crime No.5 of 2021.

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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 circumstances of the case, this Court directs the second respondent police to complete the investigation in Crime No. 5 of 2021 pending on his file and file a final report within a period of eight (8) weeks from the date of the receipt of a copy of this order.

5. This Criminal Original Petition is disposed of accordingly.

Sd/-

Deputy Registrar (LA&MC)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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,
   Office of the Superintendent of Police,
   Virudhunagar District.

2. The Inspector of Police,
   DCB Police Station,
   Virudhunagar,
   Virudhunagar District.

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

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