



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Twenty Third day of September Two Thousand and Twenty
Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice SATHI KUMAR SUKUMARA KURUP

CRL MP(MD). No.11083 of 2022
in
CRL OP(MD)No.4263 of 2021

The Inspector of Police
CBCID Sivagangai District.

... Petitioner/Investigating Officer

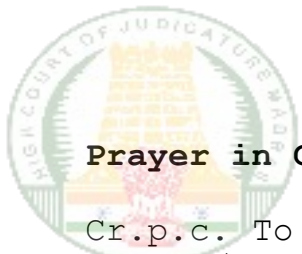
Vs

- 1 T.Muthupandi
- 2 The Additional Director General of Police (CB-CID)
SIDCO Electronic Complex Block No. 3 1st Floor
Guindly Industrial Estate
Chennai -600032.
- 3 The Superintendent of Police
Office of the Superintendent of Police
Sivagangai District.
- 4 The Inspector of Police
Madagupatti Police Station
Sivagangai District.
- 5 The Dean
Government Medical College Hospital
Sivagangai District.
- 6 Dr.Senthilkumar
Aswin Health care Clinic Madagupatti

... Respondents/Respondents

Prayer :- CRL MP(MD). No.11083 of 2022

Criminal Miscellaneous Petition filed under section 482 of Cr.p.c. To grant Extension of Time for the period of six months to file the Final Report in Crime No. 1 of 2021 on the file of the Inspector of Police, CBCID, Sivagangai which was transferred from the Court in Crime No. 28 of 2021 as per the order.

**Prayer in CRL OP(MD) . 4263/ 2021 :**

Criminal Original Petition filed under section 482 of Cr.p.c. To direct the Respondent No. 2 to withdraw the case in Crime No. 28/2021 dated 04.02.2021 on the file of the Respondent No. 3 and entrust the same to the Respondent No. 1 for completion of investigation and filing charge sheet in accordance with law within the time stipulated by this court.

ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.T.Senthilkumar Additional Public Prosecutor on behalf of the Petitioner and of Mr.R.Alagumani Advocate for the first respondent, this Court made the following order:

This petition has been filed to extend the time limit to file a final report in Crime No.1 of 2021 on the file of the Inspector of Police, CBCID, Sivagangai, which was transferred from the file of the third respondent.

2.The learned Additional Public Prosecutor appearing for the petitioner submitted that as per the reported Rule of the Hon'ble Supreme Court in the case of **Jacob Mathew Vs., State of Punjab & another** reported in **2005 (6) SCC 1**, the Investigation Officer has to obtain opinion from the Director of Medical Health and Rural Development, Chennai, regarding the complaint of medical negligent. Therefore, he seeks further time for a period of six months.

3.Considering the nature of allegations, time was extended for a period of six months from today (i.e.,23.09.2022) to complete the enquiry and file a final report in Crime No.1 of 2021. Accordingly, this Criminal Miscellaneous Petition is allowed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/10/2022

Sub Assistant Registrar(CS)

TO

1. The Additional Director General of Police (CB-CID)
SIDCO Electronic Complex Block No. 3 1st Floor
Guindly Industrial Estate
Chennai -600032.



2. The Superintendent of Police
Office of the Superintendent of Police
Sivagangai District.

3. The Inspector of Police
Madagupatti Police Station Sivagangai
District.

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

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai (2 COPIES)

ORDER DATED : 23/09/2022

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Extension of Time
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CRL MP(MD) . No.11083 of 2022
in
CRL OP(MD)4263 of 2021

Giving direction and etc.
as stated within.

RD(10/10/2022) 3P 7C