



Crl.O.P.(MD) No.17454 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2022

CORAM

THE HON'BLE MR.JUSTICE **SATHI KUMAR SUKUMARA KURUP**

CRL.O.P(MD)No.17454 of 2022

R.P.Perumal

...Petitioner

vs

1.The Deputy Superintendent of Police,
District Crime Branch, Nagercoil,
Kanniyakumari District.

2.The Inspector of Police,
District Crime Branch, Nagercoil,
Kanniyakumari District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondent Police to complete the investigation and file final report within a stipulated time frame fixed by this Court in Cr.No.14 of 2022 pending on the file of the Respondent Police.

For Petitioner
For Respondents

:Mr.M.Krishna Sreethar
:Mr.R.Suresh Kumar
Government Advocate



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ORDER

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This Petition is filed to direct the Respondent Police to complete the investigation and to file final report within a stipulated time frame to be fixed by this Court in Cr.No.14 of 2022 pending on the file of the Respondent Police.

2.The learned Counsel for the Petitioner submitted that the Petitioner's childhood friends, Abirami Thangam and Murugesu Pillai had obtained money in the guise of business transactions and cheated the Petitioner to the tune of Rs.31,50,000/-. Therefore, he approached the Respondent Police regarding the cheating indulged by his acquaintance, who are his childhood friends. The Police refused to take the complaint on file. Therefore, he preferred a private complaint before the learned Judicial Magistrate No.I, Nagercoil, in Crl.M.P.No. 3361 of 2020. The learned Judicial Magistrate after recording the sworn statement having satisfied that the offence alleged by the Petitioner had been made out *prima facie* directed the District Crime Branch, Kanniyakumari District, to register an FIR, based on the complaint under Sections 420, 181 and 182 IPC. Accordingly, the second Respondent had registered a case, but had not proceeded with the investigation promptly, forcing the Petitioner to approach this



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Court under Section 482 Cr.P.C., by filing this Petition.

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3.The learned Government Advocate submitted that the Investigation Officer is handicapped because of the non furnishing of the documents relating to the transactions by the Petitioner, so as to proceed further with the investigation to subject the documents to forensic examination etc.

4.By way of rejoinder, the learned Counsel for the Petitioner submitted that already, he had furnished all the documents to the Police Officers, with whom he had lodged complaint previously and ready to furnish further copies with the Respondent Police.

5.The Petitioner is directed to cooperate with the pending investigation by furnishing all relevant documents sought by the Investigation Officer.

6.With the above, the Investigation Officer is directed to proceed with the investigation by examining the witnesses stated by the Petitioner and any other witnesses the Investigation Officer intends to examine. He shall lay final report before the Court of



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learned Judicial Magistrate concerned within a stipulated period of sixty days from the date of receipt of a copy of this order. The Petitioner is at liberty to approach this Court for appropriate orders as and when required.

7.With the above directions, this Criminal Original Petition is allowed.

12.10.2022

Index:Yes/No

cmr

To

- 1.The Deputy Superintendent of Police,
District Crime Branch, Nagercoil,
Kanniyakumari District.
- 2.The Inspector of Police,
District Crime Branch, Nagercoil,
Kanniyakumari District.



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SATHI KUMAR SUKUMARA KURUP, J.

cmr

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