



Crl.O.P.(MD)No.20800 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 25.11.2022

CORAM:

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)Nos.20800 and 20839 of 2022

P.Gnanaraj

... Petitioner in both Petitions

Vs.

1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.

2.State represented by
The Inspector of Police,
Valliyoor Police Station,
Tirunelveli District.
(In Crime No.158 of 2022)

...Respondents in both Petitions

PRAYER in CrI.O.P(MD)No.20800 of 2022: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Second Respondent to file a final report in Crime No.158 of 2022 within a time period stipulated by this Court.

PRAYER in CrI.O.P(MD)No.20839 of 2022: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Second Respondent to expedite the investigation and recover the stolen Car bearing



Crl.O.P.(MD)No.20800 of 2022

Registration No.TN-72-BY-0009 from the accused persons in Crime No.158 of 2022 on the file of the second Respondent within a time period stipulated by this Court.

For Petitioner : Mr.R.Ponkarthikeyan in both Petitions

For Respondents : Mr.T.Senthilkumar
Additional Public Prosecutor
in Crl.O.P(MD)No.20800 of 2022

For Respondents : Mr.R.Sivakumar
Government Advocate (Crl.side)
in Crl.O.P(MD)No.20839 of 2022

COMMON ORDER

These Petitions had been filed to direct the Second Respondent to file a final report in Crime No.158 of 2022 within the time to be stipulated by this Court.

2.The learned Additional Public Prosecutor submitted that the date of occurrence is 01.05.2022 and the FIR had been registered on 28.06.2022 in Crime No.158 of 2022 for the offences under Sections 147, 294(b), 323, 379, 500 and 506(i) of IPC and seeks further time to file a final report.



Crl.O.P.(MD)No.20800 of 2022

3.By way of rejoinder, the learned Counsel for the Petitioner submitted that the suspected accused in this case had moved both the Sessions Court and before this Court for seeking anticipatory bail. Till now, only the 2nd accused alone got anticipatory bail and other accused persons concerned, anticipatory bail petition was dismissed by this Court in Crl.O.P(MD)No.12623 of 2022 on 27.10.2022. From the date of registration of FIR, the investigation had not proceeded.

4.This Court sought CD file from the learned Additional Public Prosecutor and Case Diary file was handed over promptly.

5.On perusal of CD file, it is seen that except one or two statements from the Police Constable, nothing had been recorded. It is not found satisfactory.

6.The Superintendent of Police, Tirunelveli District, may nominate a Senior Officer having at right attitude to conduct investigation in criminal cases in a fair manner and without any partial and withdraw the



Crl.O.P.(MD)No.20800 of 2022

WEB COPY

CD file from the file of the second Respondent and hand over the same to the Inspector of Police or Senior Officer in the assessment of the Superintendent of Police, who is well equipped in conducting fair enquiry. The same is also to supervise not below the Rank of Deputy Superintendent of Police and conclude the investigation within a reasonable period of two months from the date of receipt of a copy of this order.

In the result, these Criminal Original Petitions stand disposed of.

25.11.2022

Index: Yes/No
vsd



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Crl.O.P.(MD)No.20800 of 2022

To

- 1.The Superintendent of Police,
Tirunelveli District,
Tirunelveli.
- 2.State represented by
The Inspector of Police,
Valliyoore Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.20800 of 2022

SATHI KUMAR SUKUMARA KURUP, J.

vsd

Crl.O.P.(MD)Nos.20800 and 20839 of 2022

25.11.2022