



Crl.O.P.(MD).No.21872 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.12.2022

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

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Paranthaman

.. Petitioner

Vs.

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

2.The State,
Rep. by the Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.
(Crime No.1149/2021)

.. Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the 2nd respondent police, to expedite the investigation in Crime No.1149 of 2021, dated 17.11.2021 by way of securing the accused and file the final report within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.B.Anandan

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

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This criminal original petition has been filed seeking direction to expedite the investigation in Crime No.1149 of 2021, dated 17.11.2021 by way of securing the accused and file the final report within a stipulated time.

2.The learned counsel for the petitioner submitted that the petitioner is the defacto complainant in the case in Crime No.1149 of 2021, which was registered against the accused persons for the offences punishable under Sections 294(b), 420, 448 & 506(2) IPC. The learned counsel for the petitioner submitted that earlier the accused moved anticipatory bail application. At that time the matter was referred to the Mediation Centre, but it could not be settled. Thereafter, on 01.12.2022, it was dismissed.

3.The grievance of the petitioner is that even after the dismissal of the anticipatory bail application, no steps have been taken by the respondent to secure the accused. So request this Court to give a direction to arrest the accused within a stipulated time.

4.This Court cannot give such a direction to the first respondent, since it is not the domain of this Court. Whether to arrest and not to arrest is the domain of the investigating officer.



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5. With regard to the second grievance, that the FIR was registered in the year 2021, even after lapse of one year, there is no progress in the investigation. Therefore, there shall be a direction to the first respondent to expedite the investigation process in Crime No.1149 of 2021, pending on his file, and file the final report before concerned Court, within a period of three months from the date of receipt of a copy of this order.

5. With the above said directions, this criminal original petition is disposed of.

12.12.2022

Index : Yes / No
Internet : Yes / No
TM

To

1. The Superintendent of Police,
Thanjavur District,
Thanjavur.
2. The Inspector of Police,
Pattukkottai Town Police Station,
Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN,J.

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