



CrI.O.P.(MD) No.16686 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2023

CORAM:

THE HONOURABLE DR.JUSTICE D.NAGARJUN

CrI.O.P.(MD) No.16686 of 2023

A.A.A.P.Angamuthu

... Petitioner/Accused

Vs.

The State represented by
The Inspector of Police,
Melur Police Station,
Melur,
Madurai District.
(Crime No.973 of 2014)

...Respondent/Complainant

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the respondent to file the final report in Crime No.973 of 2014 on the file of the Respondent within the time frame as fixed by this Hon'ble Court.

For Petitioner : Mr.T.Vadivelan

For Respondent : Mr.SS.Madhavan,
Government Advocate [Crl. Side]



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ORDER

The petitioner has invoked the inherent powers of this Court seeking to file final report in Cr.No.973/14, pending on the file of the respondent police registered for the offences under Sections 341, 294(b), 323 and 506(i) of IPC.

2.The facts and briefs as could be rather seen from the record are that on 07.11.2014, when the petitioner/de-facto complainant was standing near Chekkadi bus stand the accused persons came there and restrained the petitioner regarding property dispute. They also abused him using filthy language and also attacked him with wooden log. Thereby, the petitioner has filed a complaint before the respondent police but there was no action. The petitioner has also sent a complaint to the Superintendent of Police, which was forwarded to the police concerned on which a case in Cr.No.973 of 2014 was registered, under Sections 341, 294(b), 323 and 506(i) IPC. Even after completion of 9 years, the respondent police have not filed the charge sheet, thereby this petition is filed.

3. Learned Government Advocate [Crl. Side] has fairly conceded that charge sheet could not be filed even after lapse of 9 years and requested time to complete the investigation.



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4.It is astonishing to note that even after lapse of nine [9] years, the respondent police could not complete the investigation in a case registered for the offences under Sections 341, 294(b), 323 and 506(i) IPC, which does not require any expert assistance to the police like forensic science laboratory, fingerprint expert or DNA profiling etc. It is a simple case and police can complete the investigation by recording the statement of the victim and witnesses under Section 161 Cr.P.C. The respondent police could not explain this Court as to why this charge sheet could not be filed within nine years.

5.Considering the circumstances, this Criminal Original Petition is disposed of, directing the respondent police to complete the investigation and file charge sheet as expeditiously as possible not later than four [4] weeks from the date of receipt of a copy of this order.

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No
MR

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DR.D.NAGARJUN. J.

MR

To

- 1.The Inspector of Police,
Melur Police Station,
Melur,
Madurai District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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