



CrI.O.P.No.32145 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No. 32145 of 2024

Suresh Kumar

... Petitioner

Vs.

The Inspector of Police,
Economic Offence Wing,
Namakkal, Namakkal District,
Crime No.02 of 2023.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C./ 528 BNSS, 2023, to direct the respondent police to complete the investigation pending on their file in Crime No.2 of 2023 and file the final report before the concerned Court in order to commence trial within the time stipulated by this Court.

For Petitioner : Mr.E.C.Ramesh

For Respondent : Mr.S.Sugendran
Additional Public Prosecutor

ORDER

This Criminal Original Petition is filed to direct the respondent/ Police to complete the investigation in Crime No.2 of 2023 and file the final report before the concerned Court.

2. Learned counsel for the petitioner submitted that the petitioner



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has given a complaint against the accused persons viz., Soundariya/A1 and Tamilkannan/A2 before the respondent/Police and that a case in Crime No.02 of 2023 was registered against them for the offence under Section 5 of TNPID Act, 1997. However, the respondent/Police has not filed the final report till date. He further submitted that earlier the accused persons have filed anticipatory bail petition in Crl.O.P.No.16905 of 2023 before this Court and the same was dismissed. Challenging the same, they preferred SLP.No.16041 of 2023 before the Hon'ble Supreme Court and the same was also dismissed as withdrawn on 24.02.2024. Further, the first accused filed a petition for bail before the learned Special Judge, Special Court, Coimbatore in Crl.M.P.No.947 of 2024 and got an interim bail on 21.03.2024 which was made absolute. As against the said order, the petitioner filed a petition for cancellation of bail in Crl.O.P.No.16803 of 2024 and this Court allowed the said petition on 30.07.2024. Thereafter, the accused were arrested and now, they have been released under statutory bail before the Special Judge, TNPID Act, Coimbatore. The main contention of the petitioner is that, with the help of the police officials, the accused has got statutory bail. Since the case was registered in the year 2023, till date no final report is filed. The learned counsel further submitted that the respondent/Police herein have not



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completed the investigation instantaneously, which resulted in delay of justice to the affected hundreds of poor and deprived depositors.

3. Heard the learned Additional Public Prosecutor on the above submission and also perused the materials available on record.

4. It is seen from the records that the case was registered in the year 2023 vide Crime No.2 of 2023. However, the Investigating Officer has not filed the charge-sheet till date. As the accused have already been released on statutory bail, whether the Investigating Officer has indirectly helped the accused to come out of statutory/default bail is the question to be suspected. Though one of the accused was released on statutory bail, till date the respondent/Police have not filed the charge sheet. Therefore, the attitude of the Investigating Officer is highly unacceptable.

5. Considering the facts and circumstances and also considering the submissions made by the learned counsel on either side, the respondent/Police is directed to file the charge-sheet/final report within a period of three months from the date of receipt of a copy of this order.



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6. With the above direction, this Criminal Original Petition is disposed of.

21.12.2024

Index : Yes/No
Neutral Citation Case : Yes/No
Speaking Order : Yes/No
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To

1. The Inspector of Police,
Economic Offence Wing,
Namakkal, Namakkal District.

2. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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