



CrI.O.P.(MD) No.1990 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2024

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THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

CRL.O.P (MD) No.1990 of 2024

Manoj Pandiyan

...Petitioner

VS

**The Inspector of Police,
Rayappanpatti Police Station,
Theni.
Crime No.147 of 2023**

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to direct the respondent to file the final report for FIR registered against the accused in Crime No.147 of 2023 on the file of the Respondent Police within a reasonable period of time to be stipulated by this Court.

**For Petitioner : Mr.J.Yogeswaran
For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.side)**

ORDER

The learned Counsel for the Petitioner submits that the Petitioner is



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the defacto Complainant. He had lodged a complaint, which was registered in Crime No.147 of 2023. In spite of registration of the case, the Respondent had not completed the investigation within time. It is his further submission that there had been pending civil dispute before the Revenue Divisional Officer, Uthamapalayam. When the dispute was pending, 50 unidentified individuals trespassed into the disputed property and attempted to fence it. The Petitioner was able to identify only few of them, whose names have been mentioned in the complaint. The Respondent had registered the case for the offence under Sections 147, 148, 294(b) and 506(ii) IPC, but had not completed the investigation. Therefore, the Petitioner seeks directions to the Respondent to complete the investigation and file the final report before the Court concerned.

2.The learned Government Advocate (CrI.side) submits that the Tahsildar's enquiry ended in favour of the accused. Aggrieved by the same, the Petitioner herein had filed an appeal and it is pending before the Revenue Divisional Officer. Both parties/accused as well as the Complainant also are not co-operating. Therefore, the Respondent was unable to complete the investigation within the reasonable time. The



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Respondent undertakes to complete the investigation within the reasonable time.

3.As a Complainant, the Petitioner has to co-operate with the pending investigation and furnish relevant documents as well as produce the witnesses in support of his claim. The Respondent is directed to act as per the directions of the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. Government of Uttar Pradesh*** reported in ***2013 (6) CTC 353*** and the case of ***Arnesh Kumar Vs. State of Bihar and another*** reported in ***2014 (8) SCC 273***.

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

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Index: Yes/No

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To

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



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SATHI KUMAR SUKUMARA KURUP, J.

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