



Crl.O.P.(MD)No.3171 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.O.P.(MD)No.3171 of 2022

and

Crl.M.P.(MD)No.2376 of 2022

Jesudasan

... Petitioner/A2

Vs.

1.State Through
The Inspector of Police,
Tuticorin, Tuticorin District.
Crime No.277 of 2008.

2.Sasistharan,
The Deputy Registrar,
Co-operative Societies,
Tuticorin District.

... Respondents

PRAYER:- Petition filed under Section 482 of Cr.P.C., to call for the records in Crime No.277 of 2008 on the file of the first respondent and quash the FIR in Crime No.277 of 2008 on the file of the first respondent against the petitioner/accused.

For Petitioner : Mr.KA.Raamakrishnan

For Respondents : Mr.B.Nambiselvan
Additional Public Prosecutor for R1

No Appearance for R2



Crl.O.P.(MD)No.3171 of 2022

WEB COPY

ORDER

This Criminal Original Petition has been filed to quash the FIR in Crime No.277 of 2008 on the file of the first respondent against the petitioner/accused.

2.The learned counsel for the petitioner would submit that the case relates to misappropriation of funds under the Co-operative Society, in which, the petitioner was employed as a Cashier and has no role to play with regard to the misappropriation of funds submitted by other officers. He would further submit that the case was registered in the year 2008 in crime No.277 of 2008, however, even after a lapse of 16 years, the case was not reached any finality either by completing the investigation or by filing the charge sheet. Hence, this Court may grant liberty to the petitioner to prove his innocence before the first respondent and also issue a direction to the first respondent to conclude the investigation within a reasonable time as fixed by this Court.

3.For non-completing the investigation for 16 years, this Court by its order dated 01.02.2024, directed the Deputy Superintendent of Police, Thoothukudi District to appear before this Court on 07.02.2024.



Crl.O.P.(MD)No.3171 of 2022

4.Pursuance of the same, Mr.Kakar Subhramanya Bhalchandra, the Assistant Superintendent of Police, Thoothukudi Town, is appeared before this Court and he will assure that the investigation will be completed within three months after providing opportunity to the petitioner to prove his innocence.

5.In view of the above, the first respondent is directed to conclude the investigation within a period of four months from the date of receipt of a copy of this order. The Assistant Superintendent of Police, Thoothukudi Town, Thoothukudi District shall monitor the investigation done by the first respondent.

6.With the above directions, this Criminal Original Petition is disposed of with liberty to the petitioner to produce all those documents before the first respondent. Consequently, connected miscellaneous petition is closed.

Index : Yes/No
Internet : Yes/No
NCC : Yes/No
Sji

07.02.2024



WEB COPY



Crl.O.P.(MD)No.3171 of 2022

M.DHANDAPANI, J.

Sji

To

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

Copy to

The Assistant Superintendent of Police,
Thoothukudi Town, Thoothukudi District.

Crl.O.P.(MD)No.3171 of 2022

07.02.2024