



CRL OP(MD). No.10651 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 18.07.2024

CORAM

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.10651 of 2024

K.Vellathai

... Petitioner

Vs

1. The Superintendent of Police,
Madurai District.

2. The Inspector of Police,
Checkanurani Police Station,
Madurai District.

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the 2nd respondent police to expedite the investigation in Crime No.215 of 2022 on the file of the 2nd respondent police and to file a final report within a stipulated period.

For Petitioner : Mr.K.Samidurai

For R-1 & R-2 : Mr.P.Kottai Chamy
Government Advocate (Crl. Side)



WEB COPY



CRL OP(MD), No.10651 of 2024

ORDER

This criminal original petition has been filed seeking a direction to the second respondent police to expedite the investigation in Crime No. 215 of 2022 dated 10.07.2023 and file the final report.

2.The learned Counsel for the petitioner submits that the occurrence has taken place on 13.06.2022 for which the compliant has been lodged on 15.06.2022. The respondent police has not conducted any investigation and has not called this petitioner and examined the witnesses. The allegation in the complaint is that using the JCB machine, the accused has damaged the property of the petitioner. The investigation officer has not taken any steps to find out the JCB involved and has not seized the vehicle involved in the commission of offence.

3.The learned Government Advocate (Crl. Side) submits that the respondent police seeks two months time to complete the investigation and to file a final report.



CRL OP(MD), No.10651 of 2024

WEB COPY

4.This Court considered the rival submissions made.

5.The case was registered only for the offence under Sections 447 and 427 of IPC. It appears that the respondent police had registered the case on 15.06.2022 and there is no progress in the investigation. Considering the nature of offence and the request made by the learned Government Advocate (Crl. Side), this Court has directed the respondent police to produce the CD file in Crime No.215 of 2022. On perusal of the CD file it is seen that expect the arrest of the accused, the respondent police has not conducted any investigation for the past two years.

6.Therefore, this Court is of the opinion that the respondent police may not conclude the investigation even after two months also. The Superintendent of Police is directed to withdraw the case in Crime No. 215 of 2022 from the file of the 2nd respondent and entrust the same to some other competent officer and to file the final report within a period of six weeks from the date of receipt of a copy of this order.



CRL OP(MD). No.10651 of 2024

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

18.07.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes
jbr

To

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



WEB COPY



CRL OP(MD), No.10651 of 2024

B.PUGALENDHI,J

jbr

Order made in
Crl.O.P.(MD)No.10651 of 2024

18.07.2024