



Crl.O.P.(MD)No.19681 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2024

CORAM

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.O.P.(MD)No.19681 of 2024

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... Petitioner

Vs.

State of Tamil Nadu
rep., by The Inspector of Police,
Sivagiri Police Station,
Tenkasi District.No.137 of 2024

... Respondent

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, 2023, to direct the respondent police to file a final report in connection with the criminal case registered in Crime No.137 of 2024 on his file before the concerned Court within the time stipulated by this Court.

For Petitioner : Mr.B.Arun
For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

The petitioner has filed this petition seeking direction to complete the investigation in Crime No.137 of 2024 for the offence under Sections 141, 425, 447 and 379 of IPC and file a final report.



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2. The contention of the petitioner is that the petitioner is the Managing Trustee of Thenmalai Sri Karuppasamy Temple, which is more than 200 years old. On 19.10.2023, the accused persons named in Crime No.137 of 2024 had committed theft of iron rods and sheets belonged to the temple worth about Rs.1,00,000/-. The petitioner earlier sent a complaint on 20.10.2023, for which, CSR.No.823 of 2023 assigned, but no action has been taken. Thereafter, the petitioner filed 156(3) of Cr.P.C. Petition and based on the direction of the learned Judicial Magistrate, FIR in Crime No.137 of 2024 was registered.

3. The learned Additional Public Prosecutor appearing for the respondent police, on instructions, would submit that it is a dispute between the dominants in the temple. It has been going on for quite some time. There have been several litigations between the petitioner and the accused in this case, who are opponent to the petitioner and it is also have a communal overt act. Further, there were civil and writ proceedings pending between them. Collecting these documents and examining the witness will take some time. After registration of the case, again, two cases were registered against each other in Crime No.304 of



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2024 and Crime No.305 of 2024, which were investigated by the same respondent police. Hence, he submitted that final report in Crime No. 137 of 2024 would be filed without delay.

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents.

5. Considering the aforesaid submission and after perusing the materials, it is seen that there is dispute between two groups with regard to administration of temple and several cases were pending against them. In view of the same, the investigating officer is directed to conduct enquiry in Crime No.137 of 2024 and complete the same, preferably, within a period of six months from the date of receipt of a copy of this order.

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

NCC : Yes / No
Index : Yes / No
Rmk

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M.NIRMAL KUMAR, J.

Rmk

To

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

Order made in
Crl.O.P.(MD)No.19681 of 2024

Dated: 14.11.2024