



CrI.O.P.No.19182 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2025

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.19182 of 2025

Esakkiammal

... Petitioner

Vs.

1. The Inspector of Police
The Central Crime Branch
Tambaram, Karappakam
Elcot Sez, Shoinganallur
Chennai - 600 119

2. The Inspector of Police
S11 Police Station
Muthulingam Street New Market
West Tambaram, Tambaram
Chennai - 600 045

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS, 2023, to issue direction to 1st respondent to complete the investigation in FIR No.494 of 2023 and to file the final report within the time limit that may be fixed by this Court.

For Petitioner	: Mr.R.Balachanderan
For Respondents	: Mr.S.Vinoth Kumar
	Government Advocate (CrI. Side)

ORDER

This Criminal Original Petition has been filed by the petitioner/defacto complainant to issue direction to the first respondent to



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complete the investigation in FIR No.494 of 2023 and to file the final report within the time limit that may be fixed by this Court.

2. The case of the petitioner is that based on the complaint given by the petitioner, the second respondent police registered a case in Crime No. 498 of 2023 on 23.07.2023 against one Renuka and other accused for the offences under Sections 406 and 417 of IPC, however, they failed to investigate the complaint in an effective manner. Hence, the petitioner filed a petition in Crl.O.P.No.6574 of 2024 before this Court for transfer of investigation from the file of the second respondent to the Central Crime Branch, Tambaram and this Court by order dated 19.03.2024 gave a direction to transfer the case within a period of two weeks from the date of receipt of a copy of the order and accordingly, the case file was transferred to the first respondent on 25.07.2024. Inspite the first respondent taken over the investigation, till date they have not come forwarded to investigate the matter and not even issued any summons calling upon the petitioner to give statement. Hence, the present petition is filed seeking direction to the first respondent to complete the investigation and to file the final report.

3. The learned Government Advocate (Crl. Side) submitted that the defacto complainant was already summoned and her statement was also



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recorded and the investigation is in progress.

WEB COPY 4. Heard both sides and perused the materials available on record.

5. It is seen that the petitioner has already been summoned and his statement has also been recorded. On earlier occasion also, the petitioner had filed a petition in CrI.O.P.No.6574 of 2024 seeking transfer of investigation from the second respondent to Central Crime Branch Tambaram and this Court by order dated 19.03.2024, allowed the same and the investigation was also transferred to the first respondent and after transfer of investigation, the first respondent police are proceeding with the investigation. While so, once again the petitioner has filed the present petition seeking direction to the first respondent to complete the investigation and to file the final report within the time limit. According to the respondents, they had already issued summons to the petitioner and recorded her statement and that they are collecting materials and the investigation is in progress.

6. Earlier since the petitioner had filed a petition for transfer, the investigation was pending. Once again, the petitioner has approached this Court seeking direction to file final report. If the petitioner expects the respondents police to do whatever he wants, there cannot be a fair investigation. Once the complaint is given, the police should be allowed



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to conduct enquiry/investigation, whereas in this case, the petitioner is filing petition after petition for transfer of investigation as he expects and to file charge sheet within a stipulated time, which shows that the petitioner has not approached this Court with clean hands.

7. However, it is seen that this Court by order dated 19.03.2024 in Crl.O.P.No.6574 of 2024, gave a direction for transfer of investigation and subsequently, the investigation was transferred to the first respondent on 25.07.2024 and even after a period of 11 months, the first respondent police has not completed the investigation and filed the charge sheet.

8. Therefore, the first respondent police is directed to expedite the investigation and file the charge sheet.

9. With the above observations and directions, this Criminal Original Petition stands dismissed.

10. Before parting with this case, it is to be noted that this is not the only case. For the past six months, this Court has gone through several cases which are pending for a long time either at the enquiry stage or RCS stage or investigation stage, without any progress. The police are neither following the Criminal Procedure Code/B.N.S.S. nor the Police Standing Order and they are also not following the other statutory provisions and keeping the cases pending for years together without any



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progress and without any valid reasons. Such an attitude of the police is

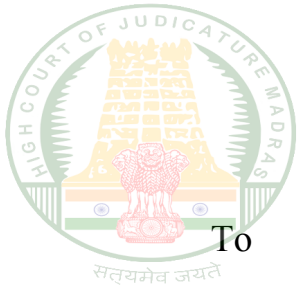
WEB COM highly condemnable.

11. Therefore, the Director General of Police, Tamil Nadu is directed to give instructions to all the Investigating Officers that not to keep any complaints/cases pending for a long time at the stage of enquiry/RCS/investigation and they should respond immediately in the manner known to law.

12. It is made clear that herein after, if any of the Police Officials keep the complaints/cases pending without any valid reason, they would be dealt with iron hands.

10.07.2025

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

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3. The Public Prosecutor
High Court of Madras, Chennai

Copy To

The Director General of Police
Chennai



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