



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-08-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL OP No. 21536 of 2025

1. K.Sudhakar

S/o. Krishnamoorthy,
No.339, Kulathu Mettu Street,
Puduppalayam Village, Arani Taluk,
Tiruvannamalai District.

2. S. Gopala Krishnan

S/o. J. Ganaprakasam,
No.340, Kulathu Mettu Street,
Puduppalayam Village, Arani Taluk,
Tiruvannamalai District.

3. S. Gopi

S/o. Sivam,
No.134, Bajanai koil Street,
Puduppalayam Village,
Arani Taluk, Tiruvannamalai District.

4. D. Venkatesan

S/o. Devaraj, No.137, Bajanai Koil
Street, Puduppalayam Village,
Arani Taluk, Tiruvannamalai District.



5. K. Annamelan

S/o. Krishnan, Manaikar Kotta,
Puduppalayam Village, Arani Taluk,
Tiruvannamalai District.

6. P. Harikrishnan

S/o. Poongavanam,
No.2/1, Mariyammal Koil Street,
Maruderi Village, Meyyur Post,
Arani Taluk, Tiruvannamalai District.

Petitioner(s)

Vs

1. The State rep by
The Inspector of Police
District Crime Branch,
Thiruvannamalai. Crime No.12/2015.

2.Srikanthan

S/o. Natesan, No.577, Savaloor Village,
Nallampalli Village,
Dharmapuri Taluk and District-643603.

3.Prabakaran

S/o. Natesan, Nallampalli Village,
Dharmapuri Taluk and District-643603.

4.Deepan

S/o. Govindasamy, Erikarai Street,
Puduppalayam Village, Arani Taluk,
Tiruvannamalai District.



5.Phazani

S/o. Veerasamy,

Puduppalayam Village, Arani Taluk,
Tiruvannamalai District.

Respondent(s)

PRAYER: This Criminal Original Petition is filed under Section 528 of BNSS, to issue a direction to the first respondent to file final report / charge sheet in respect of Crime No.12 of 2015 on the file of the first respondent police in accordance with law within stipulated time.

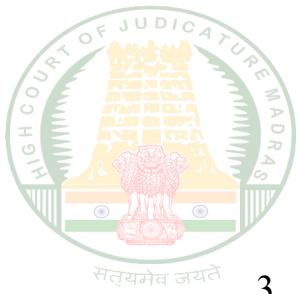
For Petitioner(s): M/s.P.Ganapathy

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)
For R1

ORDER

This Criminal Original Petition has been filed under Section 482 Cr.P.C./Section 528 BNSS seeking a direction to the first respondent-Police to complete the investigation and file the final report/charge sheet in Crime No.12 of 2015 on the file of the first respondent-Police within a stipulated period.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the first respondent–Police and perused the materials available on record.



WEB COPY

3. The case of the petitioners is that the accused persons promised to secure employment for them in the Railways and collected huge sums of money. Thereafter, the accused allegedly conducted fake selection processes, fabricated medical test reports, and issued bogus appointment orders. On the basis of such orders, the petitioners went to join the Eastern Railway at Kolkata and only then realised that the appointment orders were forged.

4. On the complaint lodged by the petitioners, the first respondent-Police registered Crime No.12 of 2015 on 24.09.2015 for the offence under Section 420 IPC against the accused persons. It is the grievance of the petitioners that, despite the lapse of nearly ten years, the investigation has not been completed and no final report has been filed. It is further stated that on an earlier occasion, bail granted to certain accused was cancelled by this Court, yet the order has not been implemented and the accused are moving about freely. According to the petitioners, the Investigating Officers have acted in collusion with the accused, deliberately avoiding steps to secure them or to conclude the investigation.

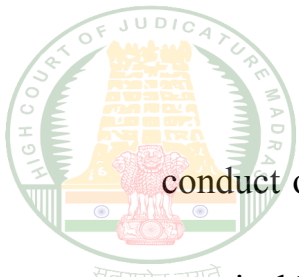


5. Learned Government Advocate (Crl. Side) for the first respondent–

Police submitted that the accused persons were arrested and subsequently released on bail, and that the investigation is still in progress.

6. The records placed before this Court clearly show that the FIR in Crime No.12 of 2015 was registered on 24.09.2015. Yet, after almost ten years, the investigation has not been completed and no charge sheet has been filed before the jurisdictional Magistrate. This is not a minor lapse; it is a serious and unexplained failure that goes against the very purpose of criminal law. Courts have often said that investigations must be completed within a reasonable time so that the accused do not escape the process of law and victims are not left without justice. Unfortunately, this case is another example where the matter has been left pending for years without any valid reason, which damages public trust in the police and in the justice system.

7. It is true that the petitioners may have sought employment in a manner that could itself invite criticism. However, the law is clear that such conduct does not absolve the police from their statutory duty to investigate cognizable offences. The duty of an Investigating Officer is not dependent on the personal



WEB COPY

conduct of the complainant; it is a statutory mandate imposed by law. Once a cognizable offence is reported, the police are required to act without delay, carry out a thorough investigation, and take steps to ensure that the offenders are brought before the court. In the present case, despite serious allegations of forgery, cheating, and fabrication of appointment orders, the investigation has been left pending for an unjustifiably long period.

8. This Court cannot ignore a situation where persons accused of serious crimes are moving around freely, while the victims keep waiting for justice. The public must know that inaction by the police will have consequences, and officers who fail in their duty will be held personally responsible. The rule of law cannot stand if those accused of serious crimes are allowed to go free while victims are left waiting endlessly for justice.

9. Therefore, this Court directs the Director General of Police, Tamil Nadu, to initiate departmental action against all Station House Officers who were in charge of the first respondent–Police Station from the date of registration of the FIR on 24.09.2015 until today, for their failure to complete the investigation. The Government of Tamil Nadu shall pay a total sum of



Rs.10,00,000/- (Rupees Ten Lakhs only) as compensation, to be apportioned equally among all the petitioners, within eight weeks from the date of receipt of

WEB COPY

a copy of this order. This amount shall thereafter be recovered, in equal proportions, from the salaries of the Station House Officers who held charge of the Police Station during the said period.

10. The first respondent–Police is directed to complete the investigation in Crime No.12 of 2015 and file the charge sheet before the jurisdictional Magistrate within two months from the date of receiving this order.

11. With the abovesaid direction, this Criminal Original Petition is disposed of.

01-08-2025

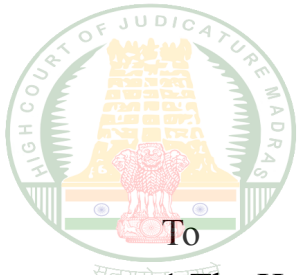
mfa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Home Secretary to Government,
Home, Prohibition and Excise
Department,
Secretariat,
Fort St. George,
Chennai.
2. The Director General of Police,
Tamil Nadu.
3. The Inspector of Police
District Crime Branch,
Thiruvannamalai. .
4. The Public Prosecutor,
High Court, Chennai.



WEB COPY

CRL OP No. 21536 of 2025



P.VELMURUGAN J.

mfa

**CRL OP No. 21536 of
2025**

01-08-2025