

Binukumar .S vs the State Police Chief

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Court : Kerala

Decided On : Feb-25-2022

Judge : Honourable Mr. Justice K.Haripal

Appeal No. : WP(Crl.)/70/2022

Appellant : Binukumar .S

Respondent : The State Police Chief

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE K.HARIPAL FRIDAY,
THE 25TH DAY OF FEBRUARY 2022 / 6TH PHALGUNA, 1943
WP(CRL.) NO. 70 OF 2022 PETITIONER: BINUKUMAR .S AGED 43
YEARS CRAM-18A,PANIKERS LANE, MANNAMOOLA, PEROORKADA
P.O THIRUVANANTHAPURAM THIRUVANANTHAPURAM, PIN -
695013 BY ADVS. C.R.SIVAKUMAR MINI.M.NAIR BINI.K
RESPONDENTS:

1 THE STATE POLICE CHIEF THE STATE POLICE CHIEF, POLICE
HEADQUARTERS, VAZHUTHAKKADU PO, THIRUVANANTHAPURAM
THIRUVANANTHAPURAM, PIN - 695010 2 THE COMMISSIONER OF

POLICE OFFICE OF COMMISSIONER OF POLICE THYCAUD (PO),THIRUVANANTHAPURAM CITY THIRUVANANTHAPURAM, PIN - 695014 3 INSPECTOR OF POLICE (SHO) PEROORKADA POLICE STATION PEROORKKADA PO, THIRUVANANTHAPURAM, KERALA, PIN - 695005 4 ADDITIONAL DIRECTOR GENERAL OF POLICE (CRIMES) CRIME BRANCH HEADQUARTERS POLICE HEADQUARTERS, VAZHUTHAKKADU PO, THIRUVANANTHAPURAM, THIRUVANANTHAPURAM, PIN - 695014 5 LATHIKA HOUSE NO.51 SARANG HOUSE RANNI LANE THURUTHUMoola PEROORKADA PO ,THIRUVANANTHAPURAM, PIN - 695013 6 RANJITH HOUSE NO.51 SARANG HOUSE

RANNI LANE THURUTHUMoola PEROORKADA PO, THIRUVANANTHAPURAM, PIN - 695013 7 VINODKUMAR HOUSING BOARD DOOR NO.1421 AVADI CORPORATION, AVADI (PO), THIRUVALLOR DISTRICT,CHENNAI OTHER DISTRICTS, PIN - 600054 BY ADV ADVOCATE GENERAL OFFICE KERALA SR.PP - SMT. SREEJA V. THIS WRIT PETITION (CRIMINAL) HAVING COME UP FOR ADMISSION ON 25.02.2022, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER

The de facto complainant in Crime No. 317 of 2019 of Peroorkada police station has moved this Court aggrieved by the inaction and apathy on the part of the Investigating Officer in complying the direction issued by the jurisdictional Magistrate to conduct a further investigation and lay the final report within two months.

2. According to the learned counsel even though the order

was passed way back on 26th July 2021, even after a lapse of seven months no action has been taken. Now a statement has been filed by the Investigating Officer stating that he had collected the postcard size photographs of the petitioner, the 3rd accused, and one Rajeev who was allegedly involved in the crime through

separate mahazars prepared on 08.10.2021 and 10.01.2022 respectively, and sent the photographs to the jurisdictional court on 25.01.2022 for FSL examination to specify whether the said Rajeev also is involved in the crime. But according to the learned counsel, even though such a statement has been given on 03rd February 2022, to her knowledge so far no such requisition has been submitted before the court. So the learned counsel prayed for calling for a report from the jurisdictional Court.

3. I think such a cause would only result in further

prolongation of the proceedings. There is no justification for the delay in completing the further investigation and laying the additional report. Therefore the Investigating Officer is directed to complete the investigation and lay further report within a period of three months from today. With this direction the Writ Petition is disposed of. Sd/- K. HARIPAL JUDGE RMV/25/02/2022 APPENDIX OF WP(CRL.) 70/2022 PETITIONER EXHIBITS Exhibit1 THE TRUE COPY OF THE JUDGMENT IN WP(C) NO. 217/2021 DATED 30/3/2021 Exhibit2 THE TRUE COPY OF THE ORDER IN CMP NO.542/2021 DATED Exhibit3 THE TRUE COPY OF THE CMP NO.1041 /2021 TRUE COPY P.A.TO JUDGE

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