

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Crl.OP No.24134 of 2015

Bilal Ahmed

.. Petitioner

Vs

The Inspector of Police,
R-1, Mambalam Police Station,
T.Nagar, Chennai - 600 017.

... Respondent

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to direct the respondent to register the case on the basis of the complaint given by the petitioner in C.S.R.No.331/CSR/R1PS/15 dated 29.06.2015 and investigate the case according to law and filed a final report within a stipulated period.

For Petitioner : Mr.M.Easan

For respondent : Mr.C.Emalias

Additional Public Prosecutor

ORDER

This petition has been filed to direct the respondent to register the case on the basis of the complaint given by the petitioner in C.S.R.No.331/CSR/R1PS/15 dated 29.06.2015 and investigate the case according to law and filed a final report.

2. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

3. This is second time, the petitioner has approached this Court for a direction to the respondent police to enquire into his complaint and take action.

4. Earlier in Crl.O.P.No.22297 of 2015, this Court passed an order dated 07.09.2015, wherein, in paras 3 to 5, it is stated as follows;

"3. It is seen that the petitioner's passport has been illegally retained by his wife Jasmine Begam and her brother Shah Jahan, who is working as a constable in the Intelligence Section at the Commissioner's Office, Chennai. Passport is a property of the Government of India and cannot be illegally detained by any person.

4. Under such circumstances, the respondent police is directed to conduct enquiry in C.S.R.No.331 of 2015 and take action against the said Shah Jahan and the petitioner's wife for recovering the passport immediately.

5. With the above direction, this Criminal Original Petition is closed."

Despite the order passed by this Court, the respondent police have not taken any action to recover the passport of the petitioner.

5. Under such circumstances, this Court directs the respondent police to register an FIR on the complaint dated 29.06.2015 given by the petitioner and take action for recovering the passport of the petitioner. Further, the Assistant Commissioner of Police, Mambalam Range, is directed to monitor the investigation and ensure that the passport of the petitioner is secured and handed over to him, since the passport is the property of the Union of India and cannot be illegally retained by any individual.

In view of the above, the criminal original petition is closed.

सत्यमेव जयते

-s/d-

Assistant Registrar

True Copy

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Sub-Assistant Registrar

sms

To

1. The Inspector of Police,
R-1, Mambalam Police Station,
T.Nagar, Chennai - 600 017.

2.The Public Prosecutor
High Court,Madras.

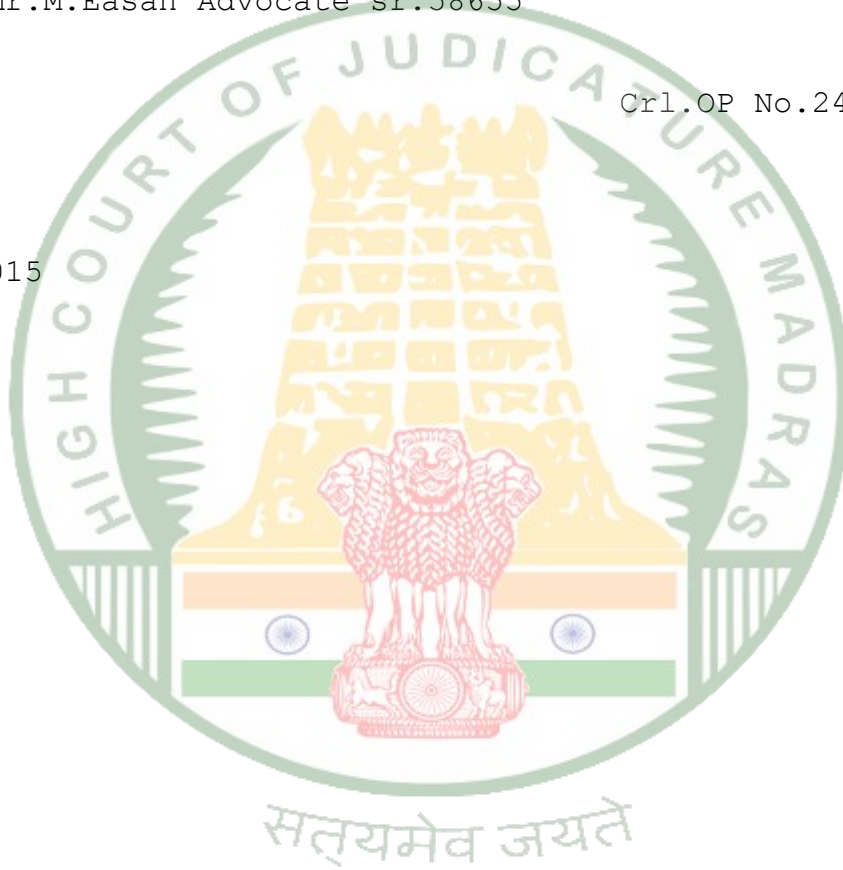
3. The Assistant Commissioner of Police
Mambalam Range, Mambalam Chennai

+1 cc to Mr.M.Easan Advocate sr.58655

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