

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.09.2018

CORAM

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CrI.O.P.No.22427 of 2018

S.Radhakrishnan

..Petitioner

Vs

1. The State Rep. By
The Deputy Commissioner of Police,
T.Nagar, Chennai.
2. The State Rep. By
The Assistant Commissioner of Police,
Valasaravakkam Range,
Valasaravakkam,
Chennai.
3. The State Rep.By
The Inspector of Police
R-9, Valasaravakkam Police Station,
Valasaravakkam,
Chennai.

..Respondents

PRAYER: Criminal Original Petition filed under Section 482 of CrI.P.C., to direct the learned Judicial Magistrate-I, Poonamallee to take on the file the petition under Section 156 (3) of Cr.P.C. filed by the petitioner dated 16.07.2018 and enquire the matter in fair manner.

For Petitioner : Mr.D.Senthil Kumar

For Respondents : Ms.M.Prabhavathi (Criminal Side)

Additional Public Prosecutor

ORDER

This petition has been filed by the petitioner to direct the Judicial Magistrate-I, Poonamallee to take on file the petition which was filed under Section 156(3) of Cr.P.C., dated 16.07.2018.

2.The learned counsel for the petitioner has submitted that the petitioner has filed a petition before the Judicial Magistrate, No.I Poonamallee under Section 156(3) of Cr.P.C. He

further submitted that the proposed accused persons have committed the offences punishable under Sections 419, 465, 467, 468 and 420 r/w 120-B of I.P.C., but the learned Judicial Magistrate has returned the said petition stating that already this Court has passed an order in Crl.O.P.No.9910 of 2018 to register a case and hence, the said petition is not maintainable.

3.The learned Additional Public Prosecutor appearing for the respondents has submitted that the petitioner has submitted a copy of the complaint to the first respondent and the same has been forwarded to the third respondent only on 19.09.2018 (yesterday)and the same is under consideration before the third respondent.

4.Since already direction was issued by this Court to the third respondent with regard to the registration of FIR, the learned Judicial Magistrate-I, Poonamallee has rightly returned the petition filed by the petitioner under Section 156 (3) Cr.P.C. Therefore, the relief sought for by the petitioner cannot be granted. However, the third respondent is directed to comply with the order passed by this Court in Crl.O.P.No.9910 of 2018 dated 28.03.2018, within a week from the date of receipt of a copy of this order.

5.With aforesaid observations, this petition is disposed of.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

ggi/stm
To

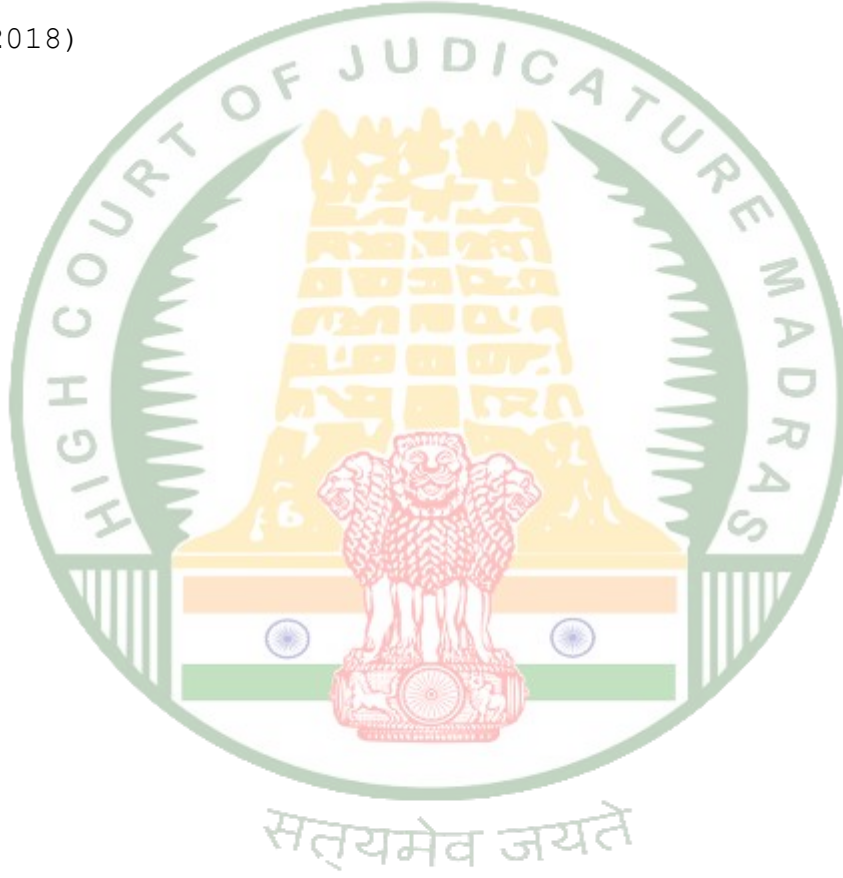
1. The Judicial Magistrate-I,
Poonamallee,
Chennai.
- 2.The Deputy Commissioner of Police,
T.Nagar, Chennai.
- 3.The Assistant Commissioner of Police,
Valasaravakkam Range,
Valasaravakkam,
Chennai.
- 4.The Inspector of Police
R-9, Valasaravakkam Police Station,
Valasaravakkam,
Chennai.

5. The Public Prosecutor,
High Court of Madras,
Chennai.

+1 CC to Mr.D. Senthil Kumar, Advocate sr 65537.

Crl.O.P.No.22427 of 2018

SP(03/10/2018)



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