

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.O.P.No.30118 of 2018

R.Devaraj

...petitioner

..Vs..

1. The Assistant Commissioner of Police,
Puzhal Range,
Puzhal, Chennai.
 2. The State by Inspector of Police,
M-4 Redhills Police Station,
Chennai.
Crime No.1747 of 2017.
-Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the first respondent to take action based on the representation dated 17.12.2018 and to recover the "Streedhana Articles" from Devaraj S/o.Rajendran.

For Petitioner : Mr.S.Jaganathan

For Respondents : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the first respondent police to register a case on the complaint of the petitioner dated 17.12.2018.

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

3.In view of the Judgment of the Hon'ble Division Bench of this Court in CrI.O.P.(MD) No.13681 of 2018 and batch of cases, dated 20.09.2018, the petition of this nature is not maintainable before this Court. Liberty is granted to the petitioner to work out his remedy in accordance with the guidelines given by the Hon'ble Division Bench in the decision referred supra.

4. With the above direction, this Criminal Original Petition is disposed of.

tta

21.12.2018

This matter having been listed under the caption for Being Mentioned on 19.02.2019 pursuant of the order of this court dated 21.12.2018 and made herein in the presence of the aforesaid Counsels on the either side the court made the following order:

Replace the existing order with this present order. Matter is posted "for being mentioned".

The learned counsel for the petitioner submitted that an FIR has already been registered by the respondent police in Crime No.1747 of 2017 under Section 174 of Cr.P.C. In the meantime, the petitioner had given a representation to the respondent police seeking for the return of the sreedhana articles. The learned counsel wanted the respondent police to consider the said representation and act in accordance with law in the course of investigation in the pending FIR.

2. Considering the facts and circumstances of the case, there shall be a direction to the 2nd respondent to act upon the representation dated 17.12.2018 made by the petitioner seeking for the return of the sreedhana articles. This representation shall also be considered by the 2nd respondent in the course of investigation in Crime No.1747 of 2017.

3. This Criminal Original Petition is disposed of with the above direction.

सत्यमेव जयते Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

tta

To

1. The Assistant Commissioner
of Police,
Puzhal Range,
Puzhal, Chennai.

To be substituted to the order
already despatched on
11.02.2019.

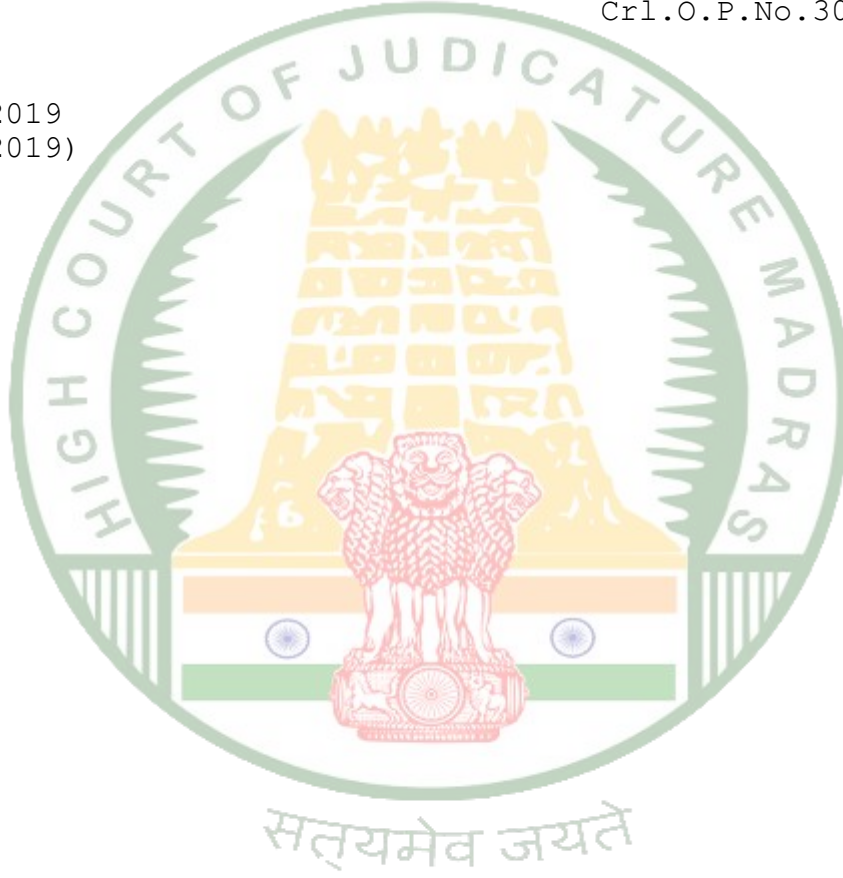
2. The Inspector of Police,
M-4 Redhills Police Station,
Chennai.

3. The Public Prosecutor,
Hight Court, Madras.

+lcc to Mr.S.Jaganathan, Advocate, S.R.No.89636

Cr1.O.P.No.30118 of 2018

PPA (Co)
CS/21/01/2019
SP(20/02/2019)



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