

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2019

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.9278 of 2016

Lakshmi

... Petitioner

Vs.

The State Rep. by its
The Inspector of Police,
Arakkonam Town Police Station,
Vellore District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, to direct the respondent to take this complaint on file, in Crime No.457 of 2012 in which it was referred as mistake of fact by the respondent police and the summons may be send to the accused for their appearance before this Honble Judicial Magistrate at Arakkonam Court.

For Petitioner : Mr.PariGopal

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

O R D E R

This petition has been filed to direct the respondent to take this complaint on file, in Crime No.457 of 2012.

2.The learned Additional Public Prosecutor submitted that the respondents police have investigated the case in Crime No.457 of 2012 and filed a final report before the learned Judicial Magistrate, Arakonam. However, it is seen that the respondent has not received any R.C.S., from the respondent. Therefore, he filed a protest petition before the learned Judicial Magistrate, Arakkonam, and the petition was returned for the reason 'unsatisfactory'.

3.Under such circumstances, the prayer sought for by the petitioner cannot be considered now. However, the petitioner is at liberty to file a fresh private complaint before the concerned Magistrate. On receipt of the said

complaint, the learned Judicial Magistrate is directed to pass orders on merits and in accordance with law as contemplated under Section 202 Cr.P.C.

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

Sd/-
Assistant Registrar (CO)

//True copy//

Sub Assistant Registrar

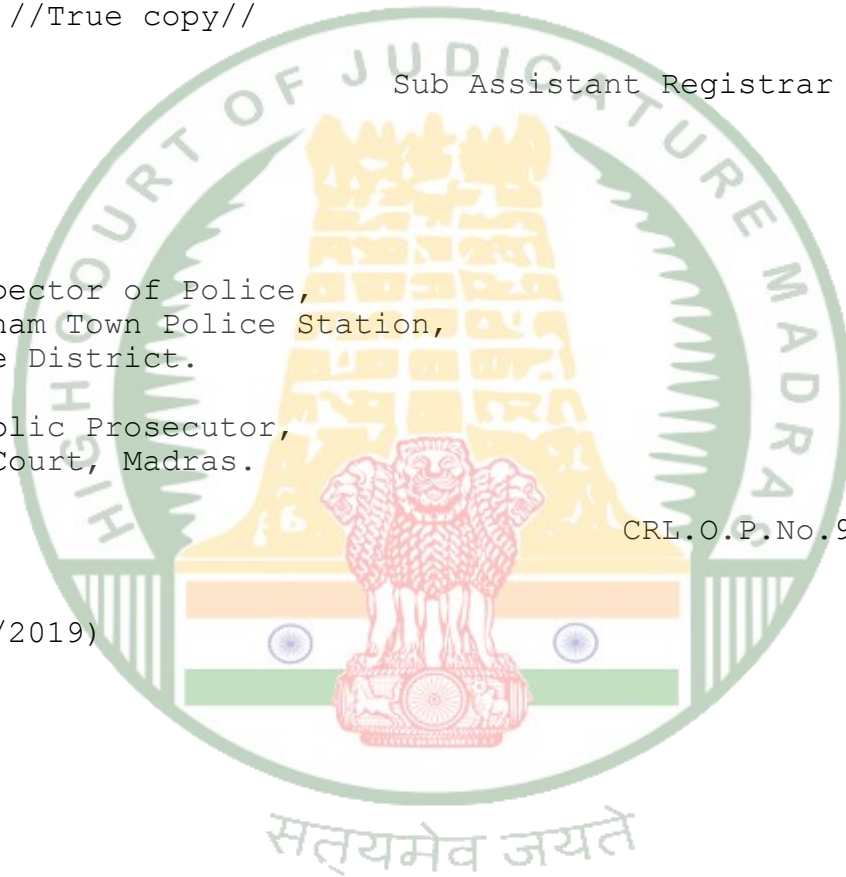
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To

1. The Inspector of Police,
Arakkonam Town Police Station,
Vellore District.
2. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.9278 of 2016

VG I (CO)
GMY (10/05/2019)



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