

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.8471 of 2019

N.Saravanan

...Petitioner

Vs.

1.B.Appu @ Venkatesan

2.Anishkumar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C., to set aside the order passed in C.M.P.No.6707 of 2018 dated 15.10.2018 on the file of Judicial Magistrate, Tambaram.

For Petitioner : Ms.K.Shinitha

O R D E R

The present Criminal Original Petition has been filed to set aside the order passed in C.M.P.No.6707 of 2018 dated 15.10.2018 on the file of Judicial Magistrate, Tambaram.

2.Heard the learned counsel for the petitioner.

3.It is seen that the learned Magistrate dismissed the private complaint filed by the petitioner for seeking direction under Section 156(3) of Cr.P.C., for the reasons the petition is not maintainable on facts and without conducting any enquiry on the facts of the petition and rejected. As such, it is not sustainable.

4.Considering the above facts and circumstances, the impugned order in C.M.P.No.6707 of 2018 is set aside. The learned Magistrate is directed to conduct enquiry under Section 202 of Cr.P.C., and pass orders on merits in accordance with law within a period of four weeks from the date of receipt of the complaint. The petitioner is directed to represent the complaint within a period of one week from the date of receipt of a copy of this order.

5. Accordingly, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CO)

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Sub Assistant Registrar

rna

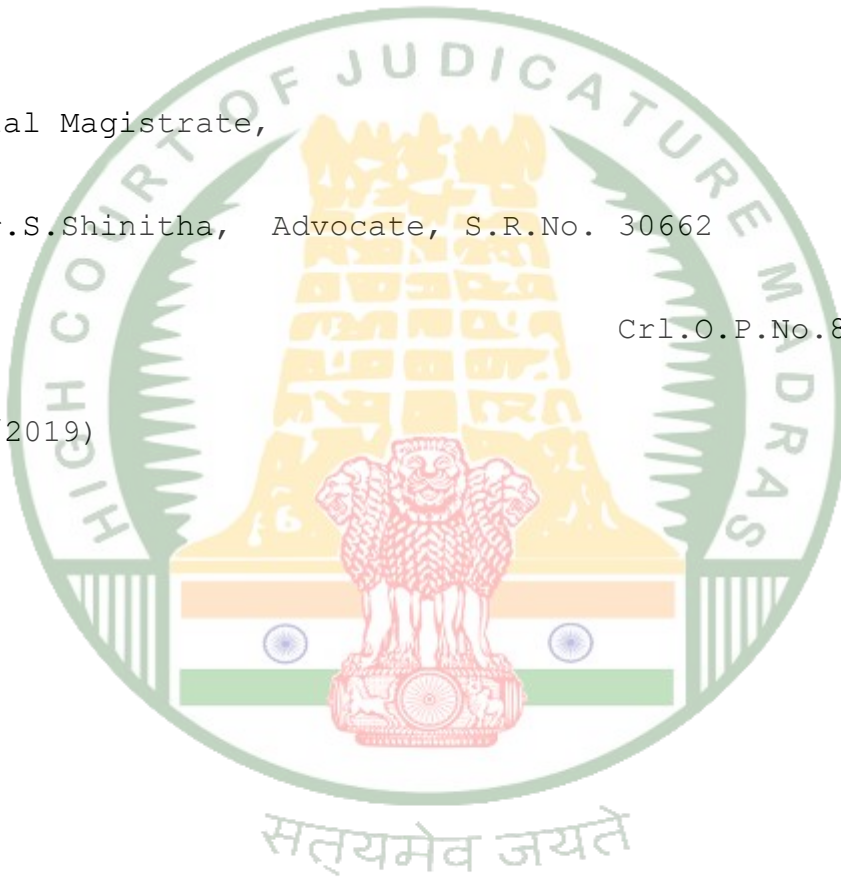
To

The Judicial Magistrate,
Tambaram.

+1cc to Mr.S.Shinitha, Advocate, S.R.No. 30662

Crl.O.P.No.8471 of 2019

VG II (CO)
GN(29/04/2019)



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