

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN
Crl.O.P.No.11149 of 2019

S. Victor

... Petitioner

Vs.

State rep. by the Inspector of Police,
S-15, Selaiyur Police Station,
Chennai - 600 073.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to record the statement of the petitioner in Crl.M.P.No.6645 of 2018 on the file of the Judicial Magistrate, Tambaram, dated 03.10.2018 and to receive the document to be submitted by the petitioner within a date fixed by this Court.

For Petitioner : Mr.A.R.Nixon

For Respondent : Mr.C.Raghavan

Government Advocate (Crl.Side)

ORDER

The Criminal Original Petition filed under Section 482 Cr.P.C. to direct the respondent to record the statement of the petitioner in Crl.M.P.No.6645 of 2018 on the file of the Judicial Magistrate, Tambaram, dated 03.10.2018 and to receive the document to be submitted by the petitioner within a date fixed by this Court.

2.The learned counsel for the petitioner would submit that the petitioner lodged a complaint in CSR No.1438 of 2017 on 21.09.2017 but the respondent police did not conduct any enquiry and closed the complaint. Against the closure report, the petitioner filed Crl.M.P.No.6645 of 2018 on the file of the learned Judicial Magistrate, Tambaram on 21.02.2018. The learned Judicial Magistrate passed an order on 03.10.2018 directing the police to provide statement of the petitioner by 17.10.2018. In spite of the order passed by the learned Judicial Magistrate, the respondent police have not taken any steps to record the statement or register the FIR. Hence prays for appropriate relief.

3.Considering the facts and circumstances of the case, the respondent police is hereby directed to record the statement of the petitioner in CrI.M.P.No.6645 of 2018 on the file of the Judicial Magistrate, Tambaram dated 03.10.2018 and conduct enquiry. If any cognizable offence is made out, the respondent police shall register the complaint filed by the petitioner and issue summons to the accused person within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Inspector of Police,
S-15, Selaiyur Police Station,
Chennai - 600 073.
 2. The Public Prosecutor,
High Court, Madras.
 - 3.The Judicial Magistrate,
Tambaram.
- +1cc to Mr.A.R.Nixon , Advocate SR.No. 39853(19/06/2019)

CrI.O.P.No.11149 of 2019

A.SK(17/05/2019)

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