

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2019

CORAM

THE HONOURABLE Mr.JUSTICE N. ANAND VENKATESH

Crl.O.P.No.17748 of 2019

D.Lakshmanan

... Petitioner

Vs.

State by,  
The Inspector of Police,  
R-8, Vadapalani Police Station,  
Chennai-600026.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the order dated 02.01.2019 made in M.P.No.4858 of 2018 by the learned XVII Metropolitan Magistrate, Saidapet, Chennai and consequently direct to the Respondent to register an FIR on the basis of the petitioner's complaint dated 09.03.2018, investigate the same and proceed with the same as per law within a time frame fixed by this Court.

(Prayer is amended as per order in Crl.M.P.No.9521/2019 in Crl.O.P.No.17748/2019 dated 16.07.2019.)

For Petitioner : Mr.S.Sathia Chandran

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

सत्यमेव जयते  
O R D E R

This petition has been filed for a direction to the respondent police to register an FIR on the basis of the complaint given by the petitioner on 09.03.2018.

2.The petitioner had approached the learned XVII Metropolitan Magistrate, Saidapet, Chennai to file a petition under Section 156(3) of Cr.P.C. The learned Magistrate by an order dated 20.11.2018 had directed the respondent police to investigate the matter if any prima facie case has been made out, to register an FIR and file a report. The respondent police conducted an enquiry and found that no cognizable offence

has been made out and there are no materials to register an FIR. This was recorded by the Court below and the petition was closed by an order dated 02.01.2019.

3.Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent police.

4.Taking into consideration the facts and consideration of the case, this Criminal Original Petition is disposed of by giving liberty to the petitioner to workout his remedy by filing a private complaint and proceed further in accordance with law.

jas/vs

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The XVII Metropolitan Magistrate,  
Saidapet, Chennai.
2. The Inspector of Police,  
R-8, Vadapalani Police Station,  
Chennai-600026.
3. -Do- Thro' The Chief Metropolitan Magistrate,  
Egmore, Chennai. -8.
4. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.S.Sathiachandran, Advocate, SR.No.64988

CrI.O.P.No.17748 of 2019

Kak (29/08/2019)

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