



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.04.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Cr1.O.P. (MD)No.5390 of 2019

R.Nagalakshmi

... Petitioner

Vs.

1.The Superintendent of Police,
Dindigul District.

2.The Inspector of Police,
Batlagundu Police Station,
Dindigul District.

3.Tirupathi

4.Babu

...Respondents

Prayer: This Criminal Original Petition filed under Section 482 Cr.P.C., to direct the second respondent to adhere to (comply with) the order of the learned Judicial Magistrate, Nilakottai vide Cr1.M.P.No.696 of 2019, dated 08.02.2019.

For Petitioner

: Mr.M.Sheik Abdullah

For R-1 and R-2

: Mr.A.P.G.Ohm Chairma Prabhu

Government Advocate (Cr1. Side)

ORDER

This Criminal Original Petition has been filed seeking a direction to the second respondent to adhere to (comply with) the order of the learned Judicial Magistrate, Nilakottai vide Cr1.M.P.No.696 of 2019, dated 08.02.2019.

2.The case of the prosecution is that the petitioner is the owner of the property in S.No.142/1, measuring 5.45 cents located at Viralipatti Village, for the purpose of construction of house in the said building the petitioner's husband approached the respondents 3 and 4 (LIC Officers) for borrowing the loan and handed over the original documents. However, the loan was not sanctioned and cheated the petitioner. Thereby, the petitioner made a complaint against the accused persons before the respondent police and the respondent police had not taken any action. Therefore, the petitioner filed a petition under Section 156 (3) of Cr.P.C. before the learned Judicial Magistrate. The learned Judicial Magistrate by an order dated 14.02.2019 in Cr.M.P.No.696 of 2019, has stated as follows:



this Court. The SHO is directed to expedite the enquiry and submit report before this Court. During the course of enquiry, if any cognizable offence is made out, the SHO shall take action in accordance with law laid down by the Hon'ble Apex Court in "**Lalitha Kumari Vs. Government of UP and others**"

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2013(4) Crimes 243 (S.C).

In case of closure of the complaint, a copy of the closure report be furnished to the petitioner and also submit report before this Court on or before 08.03.2019."

3. The learned counsel for the petitioner would submit that till date the order passed by the learned Judicial Magistrate has not been complied with. Hence, the petitioner has filed the present petition before this Court.

4. The learned Government Advocate (Criminal side) appearing for the State would submit that the order of the learned Judicial Magistrate will be complied within two weeks.

5. In view of the above, there shall be a direction to the respondent police to comply with the order passed by the learned Judicial Magistrate, Nilakottai in CrI.M.P.No.696 of 2019, dated 08.02.2019, within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (T & P)

// True Copy //

Sub Assistant Registrar (CS)

sjj

To

1. The Judicial Magistrate, Nilakottai.

2. The Superintendent of Police,
Dindigul District.

3. The Inspector of Police,
Batlagundu Police Station,
Dindigul District.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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+1CC TO MR.M.SHEIK ABDULLAH, Advocate Sr. No. 60262

CrI.O.P.(MD)No.5390 of 2019
10.04.2019

TR (22.04.2019) 3P 6C