



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.06.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN
CRL OP(MD) .No. 6464 of 2019

1. AMS. Sihabudeen
2. K. Ajmal Khan
3. N. Ahamed Ansari
4. NK. Ashik Ahamed ... Petitioners
Vs.

The Inspector of Police,
Adirampattinam Police Station,
Pattukottai Taluk,
Tanjore District. ... Respondent

PRAYER: This Petition filed under Section 482 of Criminal Procedure Code to issue a direction directing the respondent to register a case on the basis of the order in CMP No.1097 of 2019, dated 15.02.2019, on the file of the learned Judicial Magistrate, Pattukottai District, within the time fixed by this Court.

For Petitioners : Mr.T.Lajapathi Roy
For Respondent : Mr. K.K. Rama Krishnan
Additional Public Prosecutor

For Intervener : Mr.T.K. Gopalan

ORDER

This Criminal Original Petition has been filed seeking direction to the respondent police to register a case on the basis of the order, dated 15.02.2019, in CMP No.1097 of 2019, passed by the learned Judicial Magistrate, Pattukottai.

2. Today, when the matter is taken up for hearing, Mr.K.K.Rama Krishnan, learned Additional Public Prosecutor appearing for the respondent police, on instructions, submitted that based on the complaint given by the petitioners, the respondent police has registered a First Information Report in Crime No. 103 of 2019, dated 02.06.2019, for the offences under Section 147, 120B, 402 & 420 of I.P.C. In support of his contention, the learned Additional Public Prosecutor produced a copy of the First Information Report.



3. The learned counsel appearing for the accused submitted that already a similar complaint has been filed by the petitioners and enquiry has been conducted and the same was closed. It is a second complaint as a same set of facts and it is not maintainable and it is totally a abuse of process.

4. The instant petition has been filed seeking direction to register a case. Now the First Information Report has already been registered, and hence submission of the learned counsel appearing for the accused cannot considered at this stage. If at all, the accused have any grievance against registering the First Information Report against him, it is always open to them to take appropriate proceedings challenging the same in the manner known to law.

5. With the above observations, this Criminal Original Petition stands closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Inspector of Police,
Adirampattinam Police Station,
Pattukottai Taluk,
Tanjore District.
2. The Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC TO M/S.T.LajapathiRoy, Advocate Sr.No.66781

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BUC(20/06/2019)2P/4C