



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.11.2019

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Cr1 OP(MD)No.15979 of 2015

Jegadeesan

... Petitioner

Vs.

1.The State, rep.by
The Superintendent of Police,
Theni District, Theni.

2.The Inspector of Police,
Vadakarai Police Station,
Theni District.

3.The Inspector of Police,
CBCID, Dindigul.

... Respondents

Prayer : Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the third respondent to comply the order of the learned Judicial Magistrate, Periyakulam dated 21.01.2014 by taking action on the complaint given by the petitioner dated 29.11.2013 which was forwarded to the third respondent for necessary investigation.

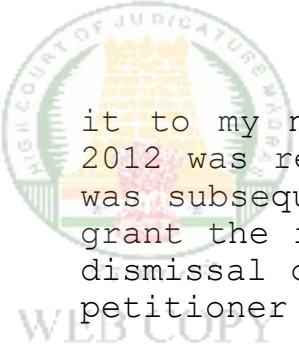
For Petitioner : Mr.G.Gomathi Sankar

For Respondents : Mr.A.Robinson,
Government Advocate (crl.side)

ORDER

The petitioner herein addressed a letter dated 29.11.2013 to the Judicial Magistrate, Periyakulam informing him that some of his agricultural implements and electric motor had been stolen and that direction must be issued to the CBCID for securing them. The magistrate vide communication dated 21.01.2014 forwarded the same to the CBCID and called upon them to take further action in the matter. Alleging that the direction of the judicial magistrate was not complied with by the third respondent herein, this Original Petition has been filed.

2.I am clearly of the view that the direction issued by the Judicial Magistrate concerned is not warranted. At best, the Judicial Magistrate could have directed the jurisdictional police to register an FIR. He could not have issued any direction beyond the same. At this stage, the learned counsel for the petitioner brings



it to my notice that on the same cause of action Crime No.125 of 2012 was registered by Periyakulam Police Station and that the same was subsequently closed as Mistake of Fact. I find no ground to grant the relief sought for. This petition stands dismissed. The dismissal of this original petition will not come in the way of the petitioner to work out his remedies in the manner known to law.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Skm

To

1.The Judicial Magistrate, Periyakulam.

2.The Superintendent of Police,
Theni District, Theni.

3.The Inspector of Police,
Vadakarai Police Station,
Theni District.

4.The Inspector of Police,
CBCID, Dindigul.

+1 CC to M/s.R. SARAIVANAN, Advocate (SR-100113[F] dated
21/11/2019)

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db(CO)

TR(21.01.2020) 2P 6C