

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.5542 of 2020

B.Anandan

.. Petitioner

/versus/

State Rep.by its
Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.

.. Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent police to register and investigate the case as per the orders passed by the learned XVIII Metropolitan Magistrate, Saidapet, in Crl.M.P.No.3723 of 2019, dated 22.10.2019 in the interest of justice.

For Petitioner : Mr.C.Rajan

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

O R D E R

This Criminal Original Petition has been filed for a direction directing the respondent police to register the complaint and investigate the case. as per the orders passed by the learned XVIII Metropolitan Magistrate, Saidapet, in Crl.M.P.No.3723 of 2019, dated 22.10.2019 in the interest of justice.

2.The learned counsel appearing for the petitioner submitted that the petitioner lodged a complaint before the respondent police for the allegation of money dispute. Even then, the respondent did not register a case as against the accused. Therefore, the petitioner filed a petition in Crl.M.P.No.3723 of 2019 before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai and the learned Magistrate by an order dated 22.10.2019, directed the respondent to conduct a preliminary enquiry into the allegation made in the complaint and on such enquiry, if any cognizable offence is made out, the respondent police was directed to register a case and investigate the matter and also file final report in three

months. Even after receipt of the same, the respondent did not register a case as against the accused person. Therefore, it is a fit case for direction to direct the respondent to register a case as against the accused person as directed by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai in CrI.M.P.No.3723 of 2019 by an order dated 22.10.2019. Hence, he prayed to allow this petition.

3.The learned Additional Public Prosecutor would submit after the direction issued by the learned Magistrate, the complaint is pending for registration.

4.Heard Mr.C.Rajan, learned counsel appearing for the petitioner and Mr.M.Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondent.

5.Considering the above order passed by the learned XVIII Metropolitan Magistrate, Saidpet, Chennai and taking note of the facts and circumstances of the case, this Court directs the respondent to register a case as against the accused person as directed by the learned XVIII Metropolitan Magistrate, Saidapet, Chennai in CrI.M.P.No.3723 of 2019, by an order dated 22.10.2019, within a period of two weeks from the date of receipt of a copy of this order and proceed with the investigation.

6.Accordingly, this Criminal Original Petition is allowed.

Sd/-
Assistant Registrar(CS-I)

//True copy//

Sub Assistant Registrar

ari

To

1.The XVIII Metropolitan Magistrate,
Saidapet, Chennai-15.

2.The Inspector of Police,
J-6, Thiruvanmiyur Police Station,
Chennai.

3.The Public Prosecutor,
High Court, Madras.

+2cc to Mr.C.Rajan, Advocate SR.No.21027

CrI.O.P.No.5542 of 2020

AD(CO)

<https://hcservices.courts.gov.in/hcservices/>
GMR(13/03/2020)