



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2020

CORAM:

THE HONOURABLE MR. JUSTICE G. K. ILANTHIRAIYAN

Crl.O.P.No.9134 of 2020

WEB COPY

Meera Sivasankaran (F/57),
W/o. Sivasankaran,
Proprietrix, Lakshmi Travels,
No.1, Vasantha Garden Street,
Aynavaram,
Chennai-600023.

... Petitioner

Vs.

1.The Joint Commissioner of Police,
East Zone,
Egmore,
Chennai-600008.

2. The Inspector of Police,
K-2, Police Station,
Ayanavaram,
Chennai-600023.

... Respondents

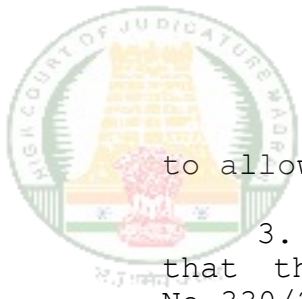
PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the second respondent police to register the petitioner's complaint dated 22.10.2019.

For Petitioner : Mr. N. Senthil Kumar
For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor.

O R D E R

This Criminal Original Petition has been filed to direct the second respondent police to register a case on the complaint of the petitioner dated 22.10.2019.

2. The learned counsel appearing for the petitioner submitted that after lodging a complaint before the second respondent police, she also approached the learned V Metropolitan Magistrate, Egmore, for a direction under Section 156(3) Cr.P.C. Unfortunately, due to Corona virus, she could not appear before the concerned jurisdictional Magistrate and as such the petition was dismissed as uncontested. Hence, he prayed



to allow this petition.

3. The learned Additional Public Prosecutor would submit that the complaint lodged by the petitioner was issued CSR No.330/2020 and the same is closed after completing enquiry as a mistake of fact.

4. Heard Mr. N. Senthil Kumar learned counsel appearing for the petitioner and Mr. M. Mohamed Riyaz, learned Additional Public Prosecutor appearing for the respondents.

5. Considering the above facts and circumstances of the case, the order passed by the learned V Metropolitan Magistrate, Egmore in Crl.M.P.No.6076 of 2020, by an order dated 23.03.2020 filed by the petitioner under Section 156(3) of Cr.P.C., is set aside and the petitioner is directed to file a fresh private complaint before the concerned jurisdictional Magistrate. On receipt of the same, the learned Magistrate is directed to deal with the case on merits and in accordance with law.

6. With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

SSI

To

1.The V Metropolitan Magistrate,
Egmore.

2.The Inspector of Police,
K-2, Police Station,Ayanavaram,
Chennai-600023.

3.The Public Prosecutor,
High Court, Madras.

4.The Chief Metropolitan Magistrate,
Egmore.

Crl.O.P.No.9134 of 2020

PP(CO)
GS(07/07/2020)