

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No.10872 of 2020

G.K.Sivakumar

... Petitioner

Vs.

State rep. by
The Inspector of Police,
Malaiyampallam Police Station,
Erode District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to direct the respondent police to register FIR on the basis of the CMP No.176/2020 dated 04.02.2020 on the file of District Munsif cum Judicial Magistrate, Kodumudi and investigate the above matter in accordance with law.

For Petitioner : Mr.D.Saikumaran
For Respondent : Mr.S.Karthikeyan,
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed for direction directing the respondent to register the case as directed by the learned District Munsif cum Judicial Magistrate, Kodumudi in C.M.P. No.176 of 2020, dated 04.02.2020.

2. The learned counsel appearing for petitioner would submit that the petitioner has lodged a complaint before the respondent and the same was not considered. As such, he has filed a private complaint before the concerned Magistrate for direction under Section 156(3) of Crl.P.C. Accordingly, the learned Magistrate directed the respondent to register the case for investigation by an order dated 14.02.2020 in C.M.P. No.176 of 2020.

3. The learned Additional Public Prosecutor would submit that though the orders have been received from the learned Magistrate and the petitioner was issued summons, he never appeared before the respondent and as such, it is pending.

4. Considering the said submission made by the learned Additional Public Prosecutor, the respondent is directed to first register the case as directed by the learned District Munsif cum Judicial Magistrate, Kodumudi in C.M.P. No.176 of 2020 by an order dated 04.02.2020 and investigate further within a period of two weeks from the date of receipt of the copy of this order. The petitioner is also directed to appear before the respondent and cooperate for interrogation.

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

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Inspector of Police,
Malaiyampallam Police Station,
Erode District.
2. The Public Prosecutor,
High Court of Madras, Chennai.

CRL.O.P. No. 10872 of 2020

BR(CO)
SP(30/09/2020)

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