

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.14142 of 2020

K.Porselvi

... Petitioner

Vs.

The Inspector of Police,
S-12, Chitlapakkam Police Station,
Chennai - 600 064.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondent Police to register a complaint in view of the order dated 20.05.2019 in C.M.P.No.2617 of 2019 on the file of the Judicial Magistrate No.1, Tambaram.

For Petitioner : Mr.S.Diraviam Dinesh

For Respondent : Mr.S.Karthikeyan

Additional Public Prosecutor.

O R D E R

The Criminal Original Petition has been filed to direct the respondent Police to register a complaint in view of the order dated 20.05.2019 in C.M.P.No.2617 of 2019 on the file of the Judicial Magistrate No.1, Tambaram.

2.The learned counsel for the petitioner would submit that the petitioner lodged a complaint with serious allegations as against the accused persons, before the respondent. Even then, the respondent did not register the case and simply kept the complaint in cold storage. Therefore, the petitioner was constrained to file a private complaint before the learned Judicial Magistrate, Tambaram. The learned Judicial Magistrate concerned directed the respondent to register the case and conduct investigation vide CMP No.2617 of 2019. Even on receipt of the said order, the respondent did not conduct enquiry. Therefore, she prayed to allow this Criminal Original Petition.

3.The learned Additional Public Prosecutor would submit that as directed by the learned Judicial Magistrate, the respondent conducted enquiry. During investigation, the petitioner herein already filed a Criminal Original Petition in CrI.O.P.No.34054 of 2019 before this Court and the same was

dismissed for default. Now, again the petitioner come forward with this petition.

4. Heard both sides and perused the materials available on record.

5. It is seen that already the learned Judicial Magistrate in CMP.No.2617 of 2019 dated 20.05.2019 directed the respondent to conduct enquiry. Once the said complaint was forwarded by the learned Judicial Magistrate under Section 156 (3) Cr.P.C., the respondent is bound to register FIR and conduct enquiry. Accordingly, the respondent is directed to register the complaint in view of the order passed by the learned Judicial Magistrate, Tambaram dated 20.05.2019 in C.M.P.No.2617 of 2019 and complete the investigation, as expeditiously as possible.

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

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

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To

1.The Judicial Magistrate No.I
Tambaram

2.The Inspector of Police,
S-12, Chitlapakkam Police Station,
Chennai - 600 064.

3.The Public Prosecutor
High Court of Madras.

Cr1.O.P.No.14142 of 2020

SSD(CO)
SP(07/10/2020)