

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.14170 of 2020

M.Ajitha Parveen

... Petitioner

Vs.

The Inspector of Police,
W-13, All Women Police Station,
Washermenpet, Chennai - 600 021.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to issue direction to the respondent police to register the FIR by consequentially comply the order in CrI.M.P.No.1058 of 2019 dated 22.02.2019 passed by Judicial Magistrate, Thiruvottiyur.

For Petitioner : Mr.R.Ravindra Ram

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 22.02.2019 in CrI.M.P.No.1058 of 2019 on the file of the Judicial Magistrate, Thiruvottiyur.

2.The learned counsel for the petitioner would submit that the petitioner lodged a complaint with serious allegations as against the accused person, 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, Thiruvottiyur. The learned Judicial Magistrate concerned directed the respondent to register the

case and conduct investigation vide Crl.M.P No.1058 of 2019 dated 22.02.2019. Even on receipt of the said order, the respondent did not conduct enquiry. Thereby the petitioner herein again filed a Criminal Original Petition in Crl.O.P.No.15632 of 2019 before this Court and the same was disposed of by this Court on 24.06.2019, with a direction to the respondent herein to register the FIR based on the complaint given by the petitioner and in compliance of the order passed by the learned Judicial Magistrate, Tiruvottiyur. Against which also, the respondent did not take any step to register the complaint. Therefore, the petitioner is constrained to file this Criminal Original Petition.

3.The learned Additional Public Prosecutor would submit that as directed by the learned Judicial Magistrate, the respondent conducted enquiry and it is under progress.

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

5. It is seen that already the learned Judicial Magistrate in Crl.M.P.No.1058 of 2019 dated 22.02.2019 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, Tiruvottiyur dated 22.02.2019 in Crl.M.P.No.1058 of 2019 and complete the investigation, as expeditiously as possible.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate,
Tiruvettiyur.

2.The Inspector of Police,
W-13, All Women Police Station,
Washermenpet, Chennai - 600 021.

3.The Public Prosecutor
High Court of Madras.

+1 cc to M/s.R.Ravindra Ram, Advocate Sr.No. 29688

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AJS (CO)
RMP(19/10/2020)