

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2020

CORAM

THE HONOURABLE MR. JUSTICE **T. RAVINDRAN**

Crl.O.P.No.17933 of 2020

Prakash,  
S/o. Vadivel.

... Petitioner

Vs.

1.The Superintendant of Police,  
Dharmapuri District,  
Dharmapuri.

2.The Inspector of Police,  
Perumpalai Police Station,  
Perumpalai, Dharmapuri.

... Respondents

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C.,  
praying to direct the respondents to take an appropriate action in order  
passed on 22.09.2020 in C.M.P.No.1017 of 2020 on the file of Judicial  
Magistrate at Pennagaram.

For Petitioner

: Mr.G.Selvaraj

For Respondents

: Ms. M. Prabhavathi

Additional Public Prosecutor

## **ORDER**

This Criminal Original Petition has been preferred by the petitioner seeking a direction to the respondents to take appropriate action pursuant to the order dated 22.09.2020 in C.M.P.No.1017 of 2020 on the file of the Judicial Magistrate Court, Pennagaram.

2.From the records placed in the matter, it is found that inasmuch as the respondent police has not initiated any action based on the complaint given by the petitioner, left with no other alternative, it is found that the petitioner has approached the Judicial Magistrate, Pennagaram, under Section 156(3) Cr.P.C. in C.M.,P.No.1017 of 2020.

3.Based on the abovesaid complaint, on a perusal of the records concerned, it is found that the Magistrate has directed the Inspector of Police, Perumpalai Police Station, Dharmapuri, to register a case and submit a report before the Court on or before 28.10.2020.

4.The grievance of the petitioner is that despite the abovesaid direction given by the Magistrate, the respondent police, particularly R2, has not registered the complaint as per law and hence, necessitated him to approach this Court for appropriate direction.

5.At the time of hearing, no proper explanation has been given on the side of the respondents as to why the case has not been registered pursuant to the direction given by the Magistrate in the abovesaid proceeding, namely, C.M.P.No.1017 of 2020 dated 22.09.2020. The law mandates that the respondent police should register a case based on the direction given by the Magistrate under Section 156(3) Cr.P.C.

6.In the light of the abovesaid factors, I deem it fit in the interest of justice and as per law to give a suitable direction to the respondent police to comply with the direction of the Magistrate without any further delay. Accordingly, R2 namely, Inspector of Police, Perumpalai Police Station, Dharmapuri, is directed to comply with the direction of the Judicial Magistrate, Penagaram, dated 22.09.2020 in

C.M.P.No.1017 of 2020 within one week from the date of receipt of a copy of this order without any deviation.

7.With the abovesaid direction, this Criminal Original Petition is disposed of.

30.11.2020

Index: Yes/No  
Internet: Yes/No  
Speaking/Non-Speaking order  
vsn  
To

1.The Judicial Magistrate at Pennagaram.

2.The superintendant of Police,  
Dharmapuri District,  
Dharmapuri.

3.The Inspector of Police,  
Perumpalai Police Station,  
Perumpalai, Dharmapuri.

4. The Public Prosecutor,  
Madras High Court, Chennai.

**T. RAVINDRAN, J.**  
vsn



**Crl.O.P.No. 17933 of 2020**

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30.11.2020