



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.09.2020

CORAM:

THE HONOURABLE MR. JUSTICE R.PONGIAPPAN

CRL OP(MD)No.10382 of 2020

WEB COPY

R.Sankaran

... Petitioner

Vs.

1.The Inspector of Police (Law and Order),
Perumalpuram Police Station,
Tirunelveli - District.

2.V.P.Rajan
3.G.Selvi Hema
4.S.Gandhi Perumal
5.K.Lenin Raguraman
6.Hariharsubramanian
7.Sanmugasundaram
8.E.Saravanabhavan

... Respondents

PRAYER: Petition filed under Section 482 of Criminal Procedure Code, to direct the 1st respondent to register a case on the basis of complaint dated 17.12.2019 lodged by the petitioner and comply the order in Cr.M.P.No.3258/2020, dated 19.03.2020 passed by the learned Judicial Magistrate No.1, at Tirunelveli.

For Petitioners : Mr.M.M.Manivelpandian

For R1 : Mr.S.Chandrasekar
Additional Public Prosecutor

O R D E R

This Criminal Original Petition has been filed seeking a direction, to direct the 1st respondent to register a case, on the basis of complaint dated 17.12.2019, lodged by the petitioner and comply the order in Cr.M.P.No.3258/2020, dated 19.03.2020, passed by the learned Judicial Magistrate No.1, at Tirunelveli.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the 1st respondent.

3. It is not in dispute that while at the time of disposing the Cr.M.P.No.3258 of 2020 filed by the petitioner, the learned Judicial Magistrate No.I, Tirunelveli had passed the following orders :-



"On perusal of this petition and connected materials and facts and circumstances of the case, the Inspector of police, Perumalpuram Police Station (Law & Order) is directed to expedite the enquiry regarding the complaint dated 17.12.2019 and complete the same within a period of four weeks from the date of receipt of copy of this order. During the course of enquiry, if any cognizable offence is made out, the Inspector of Police, Perumalpuram Police Station(Law & Order) shall take action in accordance with law. In case of closure of the complaint, a copy of the closure report be furnished to the petitioner within a week of such closure. On receipt of the same, it is open to the petitioner to workout his remedy in the manner known to law."

4. Therefore, it is obligatory on the part of the first respondent to comply the directions given by the learned Judicial Magistrate No.I, Tirunelveli. But, here it is a case that the first respondent herein sofar has not completed the enquiry, as per the directions given by the learned Judicial Magistrate No.I, Tirunelveli and filed the report before the learned Judicial Magistrate No.I, Tirunelveli.

5. In this regard, the learned Additional Public Prosecutor appearing for the 1st respondent, prayed a further period of one week for completing the enquiry.

6. Therefore, recording the said submission made by the learned Additional Public Prosecutor, this Court directs the first respondent to complete the enquiry within a period of one week from the date of receipt of a copy of this order, by following the direction given by the learned Judicial Magistrate No.I, Tirunelveli, dated 19.03.2020.

7. With the above directions, this Criminal Original Petition stands closed.

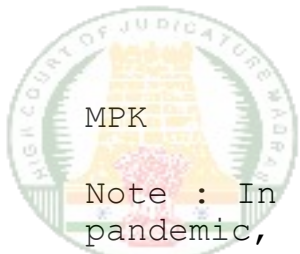
Sd/-

Assistant Registrar ()

// True Copy //

/ /2020

Sub Assistant Registrar(CS)



MPK

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Judicial Magistrate No.1,
Tirunelveli.
- 2.The Inspector of Police (Law and Order),
Perumalpuram Police Station,
Tirunelveli - District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

**CRL OP(MD)No.10382 of 2020
28.09.2020**

VB (06.10.2020) 3P 4C