



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.12.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

Crl.O.P (MD) No.14944 of 2020

K.Mohamed Haneeba

Petitioner/Defacto Complainant

Vs

1.The Commissioner of Police,
Madurai City.

2.The Inspector of Police,
C5-Karimedu Police Station, (L&O),
Madurai City.

Respondents/Respondents

PRAYER: Petition filed under Section 482 of Code of Criminal Procedure, to direct the Inspector of Police, C5 Karimedu Police Station, (L&O), Madurai City to register an F.I.R by complying with the order passed by the learned Judicial Magistrate No.V, Madurai in Crl.M.P.No.1055 of 2020 vide order dated 10.11.2020 as expeditiously as possible within the time stipulated by this Court.

For Petitioner : Mr.R.Anand

For Respondents: Mr.V.Neelakandan

Additional Public Prosecutor(Crl.side)

O R D E R

This petition has been filed to direct the Inspector of Police, C5 Karimedu Police Station, (L&O), Madurai City to register F.I.R by complying with the order passed by the learned Judicial Magistrate No.V, Madurai in Crl.M.P.No.1055 of 2020 vide order dated 10.11.2020 as expeditiously as possible within the time stipulated by this Court.

2.The learned counsel for the petitioner would submit that the petitioner has given a complaint to the 2nd respondent alleging that at the instance of one Latha @ Jerina, a group of goondas planned to murder the petitioner, if he is failed to pay Rs.2 Lakhs. Since no action has been taken by the respondent police, he approached the learned Judicial Magistrate No.V, Madurai and obtained an order in Cr.M.P.No.1055 of 2020 dated 10.11.2020 under Section 156(3) of Cr.P.C to register a case. Irrespective of the order passed by the learned Magistrate, the respondent police has formally issued a summon directing the petitioner to cause his appearance on 30.11.2020. Hence, the learned counsel would pray to direct the respondent police to register a case on the petitioner's complaint based on the above order.



3.The learned Additional Public Prosecutor(Crl side) appearing for the respondent would state that the petitioner was directed to appear before the respondent police on 30.11.2020. But he has not appeared.

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4.Heard the learned Counsel for the petitioner and the learned Additional Public Prosecutor(Crl.side) appearing for the respondents.

5.Considering the facts and circumstances of the case and also considering the submissions made by the learned Additional Public Prosecutor (Crl.side), the petitioner is directed to approach the respondent police and produce all relevant documents and the respondent police is directed to take action, as per the orders passed by the learned Judicial Magistrate No.V, Madurai in Cr.M.P.No.1055 of 2020 dated 10.11.2020, within a period of two weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vrn

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.V,
Madurai
- 2.The Commissioner of Police,
Madurai City.
- 3.The Inspector of Police,
C5-Karimedu Police Station, (L&O),
Madurai City.



4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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SS (CO)
NR (19/01/2020) 3P : 5C