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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.11411 of 2021

S.David Nirmal Raj

... Petitioner

Versus

1. The Commissioner of Police
Greater Chennai
No.132, Commissioner Office Building
EVK Sampath Road,
Vepery, Chennai 600 007.
2. The Deputy Commissioner of Police
Madhavaram
GNT Road, Near Madhavaram Bus Depot
Chennai 600 060.
3. The Assistant Commissioner of Police
Madhavaram
GNT Road, Puzhal,
Chennai 600 066.
4. The Inspector of Police
M-3, Puzhal Police Station (Crime Branch)
Puzhal, Chennai 600 066.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the fourth respondent police to register an FIR on the petitioner's complaint dated 10.10.2019 against the accused as per the order made in CMP.No.434 of 2020 dated 05.11.2020 by the learned Judicial Magistrate Court at Madhavaram, investigate the same and file a final report within a period to be fixed by this Court.

For Petitioner : M/s.Arulselvam Associates

For Respondents : Mr.S.Vinoth Kumar
for Public Prosecutor



ORDER

This petition has been filed to direct the fourth respondent police to register an FIR on the petitioner's complaint dated 10.10.2019 against the accused as per the order made in CMP.No.434 of 2020 dated 05.11.2020 by the learned Judicial Magistrate Court at Madavaram, investigate the same and file a final report within a period to be fixed by this Court.

2. The petitioner lodged a complaint to the fourth respondent on 10.10.2019. Since no action was taken, he had filed a petition in CMP.No.434 of 2020 under Section 156(3) Cr.P.C., before the Judicial Magistrate Court, Madavaram. Even after the order made in the said petition on 05.11.2020, the respondent police has not acted upon and failed to register the First Information Report.

3. The learned Government Advocate (Crl.Side) has submitted that on receipt of the direction of the Judicial Magistrate Court, Madavaram, in the petition filed under Section 156(3) of Cr.P.C., the fourth respondent has registered a case in Crime No.469 of 2021, for the offence under Sections 418 and 420 of IPC. In view of the same, nothing survives for adjudication in this petition.

4. Recording the same, this Criminal Original Petition is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

dna

To

1. The Judicial Magistrate,
madavaram, Chennai.
2. The Commissioner of Police
Greater Chennai
No.132, Commissioner Office Building
EVK Sampath Road,
Vepery, Chennai 600 007.



3. The Deputy Commissioner of Police
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4. The Assistant Commissioner of Police
Madhavaram
GNT Road, Puzhal,
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5. The Inspector of Police
M-3, Puzhal Police Station (Crime Branch)
Puzhal, Chennai 600 066.
6. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.11411 of 2021

PCH(CO)
HS(02/08/2021)