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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.17736 of 2021

C. Neelakandan

... Petitioner

Versus

1. State Rep. By
The Commissioner of Police,
Greater Chennai, Chennai District,
Veperi, Chennai.

2. The Inspector of Police (Crimes)
Madhuravoyal Police Station,
Madhuravoyal, Chennai.

... Respondents

PRAYER: This Criminal Original Petition has been filed under Section 482 Cr.P.C. to direct the 2nd respondent police to register a case and file a final report as per the orders passed in Crl.MP.No.2510 of 2021 dated 25.03.2021 by the learned Judicial Magistrate - II at Poonamallee.

For Petitioner : Mr.E.M.Malarmannan

For Respondents : Mr.R.Vinothraja
Government Advocate (Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent police to register a case and file a final report as per the orders passed in Crl.MP.No.2510 of 2021 dated 25.03.2021 by the learned Judicial Magistrate - II at Poonamallee.

2.The grievance of the petitioner is that the petitioner has lodged a complaint to the first respondent on 19.01.2021 but no action has been taken on his complaint for a period of two months. Hence, the petitioner has filed a petition under Section 200 r/w 156 (3) Cr.P.C. in C.M.P.No.2510 of 2021 before



the learned Judicial Magistrate- II, Poonamallee. The learned Judicial Magistrate-II, Poonamallee, considering the facts and perused the materials available on record, allowed the petition, in which, the relevant portion is as follows:

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" Therefore, the Inspector of Police, T 4 Maduravoyal Police Station, Maduravoyal is directed to the second respondent police to conduct preliminary inquiry to ascertain as to whether the information furnished in the complaint reveals any cognizable offence, such preliminary enquiry completed within the period of 90 days from the date of receipt of this order as per directum laid down by Hon'ble Court in Lalitha Kumari Vs. State and upon making such preliminary enquiry it is concluded to close the complaint such as mistake of fact or further action dropped a copy of the closure report must be supplied to the complainant and closure report shall be filed before this Court, if cognizable offence is disclosed in the result of such enquiry, the police is directed to proceed in accordance with the chapter XII of the code of criminal procedure 1973, and filed the final report within the time limited by law. Petition is allowed and direct to sent the copy of the petition and other records to the Station House Officer, T4, Maduravoyal Police Station."

3.Considering the aforesaid submission of the learned counsel for the petitioner seeks this Court to direct the second respondent to comply with the order dated 25.03.2021 passed in CrI.M.P.No.2510 of 2021 by the trial Court, in view of the same, the positive direction of the trial Court order dated 25.03.2021 in CrI.M.P.No.2510 of 2021 to be complied within 15 days from the receipt of this order. File compliance report before the Judicial Magistrate No.II, Poonnamallee, thereafter within five days.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sms



To

1. The learned Judicial Magistrate - II,
Poonamallee.
2. State Rep. By
The Commissioner of Police,
Greater Chennai, Chennai District,
Veperi, Chennai.
3. The Inspector of Police (Crimes)
Madhuravoyal Police Station,
Madhuravoyal, Chennai.
4. The Public Prosecutor,
High Court, Madras.

CRL.O.P.No.17736 of 2021

AD(CO)
SU(10/11/2021)