



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.07.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGO VAN**

CrI.O.P. (MD)No.3138 of 2021

Surulivel
1.S.Uma
2.Krishnakumar
3.The Inspector of Police,
Theni Town Police Station,
Theni,
Theni District.

... Petitioner
Vs.
... Respondents

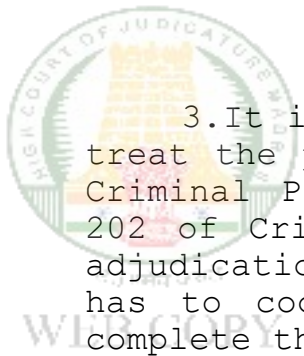
Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the learned Judicial Magistrate, Theni to forward the petition filed under Section 156(3) of Cr.P.C., in Cr.M.P.(MD)No.2352 of 2020 to the 3rd respondent as expedite the trial within the stipulated time by this Court.

For Petitioners : Mr.Manickam.R
For R3 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This petition is filed seeking a direction to the learned Judicial Magistrate, Theni to forward the petition filed under Section 156(3) of Criminal Procedure Code in Cr.M.P.(MD)No.2352 of 2020 to the third respondent for taking further steps.

2.Since an allegation has been made that the petition is not forwarded to the concerned police, a report has been called from the learned Judicial Magistrate, Theni. He has submitted his report in D.No.658 of 2021 dated 08.06.2021 stating that the petition filed by the petitioner under Section 156(3) of Criminal Procedure Code was assigned in Cr.M.P.No.2352 of 2020 and the same was proceeded under Section 202 of Criminal Procedure Code and it was periodically adjourned due to absence of the complainant. Later on 22.01.2021, the complainant was examined as P.W.1 and adjourned for further examination of the witnesses.



3.It is seen that the learned Judicial Magistrate has chosen to treat the petition as complaint and proceeded under Section 202 of Criminal Procedure Court and examined the witnesses under Section 202 of Criminal Procedure Code. So nothing survives for further adjudication or consideration in this petition and the petitioner has to cooperate with the learned Judicial Magistrate, Theni to complete the enquiry.

4.With these directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Theni.
- 2.The Inspector of Police,
Theni Town Police Station,
Theni, Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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