



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :14.06.2021

CORAM

THE HONOURABLE MR.JUSTICE **G.ILANGOVAN**

CRL.O.P(MD) .No.5779 of 2021

WEB COPY

P.Raju

... Petitioner

Vs.

1.State through

The Sub-Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram.

2.Susila

3.Sumithra

4.Uma

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate No.II, Ramanthapuram to number the Cr.M.P.No...../2021 in Cr.M.P.No.855 of 2020 on the file of the Judicial Magistrate No.II, Ramanthapuram and to take action for the willful disobedience committed by the 1st respondent police by violating the Court order dated 26.11.2020 made in Cr.M.P.No.855 of 2020.

For Petitioner

: Mr.M.D.Devi Saravana Priya

For Respondents

: Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to direct the learned Judicial Magistrate No.II, Ramanthapuram to number the Cr.M.P.No.---of 2021 in Cr.M.P.No.855 of 2020 on the file of the Judicial Magistrate No.II, Ramanthapuram and to take action for the willful disobedience committed by the 1st respondent police by violating the Court order dated 26.11.2020 made in Cr.M.P.No.855 of 2020.

2. The case of the prosecution is that on 19.11.2020, the respondent Nos.2 to 4 herein quarreled with the petitioner by using filthy language, affecting the reputation of the petitioner. Hence, the petitioner made a complaint to the first respondent Police. After receiving the complaint, the 1st respondent Police issued receipt in C.S.R.No.976 of 2020. The petitioner has also filed a complaint under Section 156(3) of Cr.P.C. in Cr.M.P.No.855 of 2020 on the file of the Judicial Magistrate No.II, Ramanthapuram, for a direction to conduct enquiry and register F.I.R against the



respondents 2 to 4. By order dated 26.11.2020, the learned Judicial Magistrate No.II, Ramanthapuram, directed the 1st respondent police to make enquiry and if cognizable offence found to be committed, F.I.R has to be registered and investigation has to be done. But till date, the 1st respondent has not taken any action to conduct enquiry and find out whether any offence has been committed or not. Therefore, the petitioner has filed this petition.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the first respondent.

4. By order of this Court dated 22.04.2021, a detailed report was directed to be submitted by the learned Judicial Magistrate No.II, Ramanthapuram. In compliance of the above order, the learned Judicial Magistrate No.II, Ramanthapuram has also submitted a report stating that by mistake, the Predecessor has returned the petition filed by this petitioner under Section 345 Cr.P.C., stating no order has been passed. After taking over charge on 23.04.2021, the Court received the First Information Report which was registered by the first respondent police, in pursuance to the directions issued by the Court under Section 156(3) of Cr.P.C. The copy of the First Information Report is also enclosed along with the report submitted by the learned Judicial Magistrate No.II, Ramanthapuram.

5. Since the First Information Report has been registered pursuant to the directions issued by the concerned Court, nothing survives for further consideration in this petition. Hence, this Criminal Original Petition is dismissed as infructuous.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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 Sub-Inspector of Police,
Kenikkarai Police Station,
Ramanathapuram.



2. The Additional Public prosecutor,
Madurai Bench of Madras High Court,
Madurai

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KB (24.06.2021) 3P 3C