



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
Crl.O.P.(MD)No.16813 of 2021

S.Jayaraman

... Petitioner/ Complainant

Vs.

1. The Superintendent of Police,
Karur District,
Karur.

2. The Inspector of Police,
Land Grabbing Wing,
Karur,
Karur District.

... Respondents 1 and 2/Complainant

3. N.Selvaraj
4. N.Srinivasan
5. N.Nagarajan
6. N.Govindaraj
7.N.Raja

... Respondents 3 to 7/

Proposed accused persons

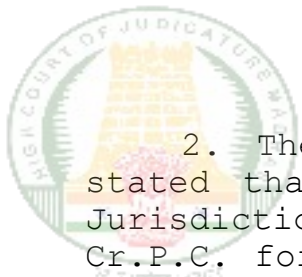
PRAYER : Criminal Original Petition filed under Section 482 Cr.P.C, to direct the second respondent herein to implement the order passed by the learned Judicial Magistrate No.II, Kulithalai in C.M.P.No.1395 of 2013 dated 10.05.2013 and register the FIR and its final report before the learned Judicial Magistrate No.I, Karur, within the time stipulated by this Court.

For Petitioner : Mr.S.P.Naveen Kumar

For Respondents : Mr.Veeranthiran
Government Advocate for R1 and R2

O R D E R

The grievance of the petitioner is that the order passed by the learned Judicial Magistrate No.II, Kulithalai, dated 10.05.2013 has not been complied with. In the said order, the learned Magistrate has recorded his findings that *prima facie* case has been made out in the complaint. Thereupon, the complaint was forwarded under Section 156(3) Cr.P.C., for registration of case and for investigation and for filing report. I wanted to know from the respondent if any FIR was registered. It is stated that FIR was not registered.



2. The Inspector of Police, Land Grabbing Wing, Karur, has stated that there is no basis for registering a case. When the Jurisdictional Magistrate has given a direction under Section 156(3) Cr.P.C. for registration of case, the Inspector of Police could not have taken a different view. The second respondent has to register an First Information Report based on the order dated 10.05.2013 in C.M.P.No.1395 of 2013. The second respondent is directed to comply with the aforesaid order dated 10.05.2013 in C.M.P.No.1395 of 2013.

3. Accordingly, the Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

csn/mga

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.II, Kulithalai.

2.The Judicial Magistrate No.I, Karur.

3. The Superintendent of Police,
Karur District,
Karur.

4. The Inspector of Police,
Land Grabbing Wing,
Karur,
Karur District.

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

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