



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.04.2022

CORAM

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.9053 of 2022

M.Loganathan

... Petitioner

Vs.

State, Rep. by:

The Inspector of Police (Crime),
M-1, Madhavaram Police Station,
Madhavaram,
Chennai 600 060.

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent police to register an FIR on the basis of the Petitioner's complaint dated 12.01.2022 in CSR.No.56/2022 and investigate the matter and file a final report within a stipulated period of time.

For Petitioners : Mr.J.B.Solomon Peter Kamal Doss

For Respondent : Mr.V.Meganathan,
Government Advocate (Crl. Side)

For Proposed Respondent : Mr.R.Narendran

O R D E R

This Criminal Original Petition has been filed to direct the respondent police to register the FIR on the basis of the Petitioner's complaint dated 12.01.2022 in CSR.No.56/2022 and investigate the matter and file the final report within a stipulated period of time.

2.Learned counsel for the petitioner would submit that the petitioner has preferred a petition under 156(3) Cr.P.C before the learned District Munsif Cum Judicial Magistrate at Madhavaram against one Jeevanatham and the learned District Munsif Cum Judicial Magistrate by an order dated 22.02.2022 in Crl.M.P.No.154 of 2022, had directed the respondent to conduct a preliminary enquiry and file a final report before the



jurisdictional Court, on or before 09.03.2022. The Respondent neither conducted the preliminary enquiry nor registered a case. Thereby, the present petition has been filed seeking for a direction to the respondent police to register the petitioner's complaint.

3. Per contra, Mr.V.Meganathan, learned Government Advocate (Crl. Side) would submit that order of the learned District Munsif Cum Judicial Magistrate, Madhavaram, received by the respondent vide letter No.227 of 2022 dated 22.02.2022. The Respondent had conducted preliminary enquiry and during the enquiry, it was found that there is a civil dispute pending between the petitioner and the proposed accused. Thereby, the respondent had closed the enquiry. He would further submit that closure report would be filed before the jurisdictional Court at the earliest.

4. Mr.R.Narendran, learned counsel for the proposed accused/Jeevanatham would submit that the respondent police had summoned the proposed accused/Jeevanatham and conducted preliminary enquiry. After the preliminary enquiry, the complaint has been closed by the respondent.

5. At this juncture, learned counsel for the petitioner would submit that the petitioner has not received the copy of the closure report.

6. In view of the above, direction is issued to the respondent police to furnish the copy of the closure report to the petitioner within a period of two weeks from the date of receipt of a copy of this order. On such receipt, the petitioner is at liberty to challenge the closure report by way of filing a protest petition in accordance with law.

7. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

shk/sai



To

1.The Inspector of Police (Crime),
M-1, Madhavaram Police Station,
Madhavaram, Chennai 600 060

2.The Public Prosecutor,
High Court of Madras.

+lcc to Mr.J.B.Solomon Peter Kamaldoss, Advocate SR. No. 27143

Cr1.O.P.No.9053 of 2022

AKII (CO)
PR (06/05/2022)