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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2022

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

CRL.O.P.No.23401 of 2021

D.Jayakaran

... Petitioner

Vs.

1. The Commissioner of Police,
Commissioner Office,
Egmore, Chennai - 600008.
2. The Deputy Commissioner of Police,
Anna Nagar Range,
Chennai - 600 101.
3. The Assistant Commissioner of Police,
Villivakkam Range,
Villivakkam, Chennai - 49.
4. The Inspector of Police,
V4 - Rajamangallam Police Station,
Villivakkam,
Chennai - 600049.

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to direct the respondent Inspector of Police V-4 Rajamangalam Police to register complaint dated 07/07/2021.

For Petitioner : Mr.C.D.Johnson

For Respondents : Mr.E.Raj Thilak
Additional Public Prosecutor.

ORDER

This Criminal Original Petition has been filed to direct the fourth respondent to register the complaint dated 07/07/2021.



2.The grievance of the petitioner is that on 07.07.2021, he had given a complaint to the respondent police along with the details, but, no action has been taken. The petitioner, on 29.07.2021, again lodged a complaint to the Deputy Commissioner of Police, Annanagar Range, the same has been received and forwarded to the Assistant Commissioner of Police, Villivakkam on 11.08.2021. The Sub-Inspector of Police, Rajamangallam Police Station, was directed to enquire the same. Though the Sub-Inspector of Police had received the complaint on 31.07.2021, no action has been taken.

3. The learned Additional Public Prosecutor submits that on the complaint of the petitioner, C.No.119 of 2021 was assigned and the petition was closed on 20.07.2021. Further referring to the typed set of the papers, the learned Additional Public Prosecutor submitted that, in page 8, which is the complaint which has been forwarded to the Sub Inspector of Police, in which it is seen that on 11.08.2021, the Assistant Commissioner of Police, Villivakkam had made an endorsement and thereafter, the Sub Inspector of Police had made endorsement on 31.07.2021.

4.The learned counsel for the petitioner refused the same stating that the petitioner was never summoned and no enquiry conducted and further submitted that the petitioner filed this petition on 29.11.2021 before this Court and the matter listed on 08.12.2021, thereafter, the case was listed on 15.12.2021. In the meanwhile, on 14.12.2021, at about 1.30 p.m., summon was served to the petitioner for the appearance of the petitioner on 14.12.2021, but the petitioner states that the summon was issued in the twelfth hour and needs time to appear.

5.This Court finding substance and reasons in the petitioner's submissions, directs the Assistant Commissioner of Police, Villivakkam Range, to conduct enquiry on the complaint of the petitioner and thereafter dispose of the same in accordance with law. The Sub Inspector of Police, V4 - Rajamagallam Police Station, to handover the complaint, documents, papers and other materials collected in this case to the Assistant Commissioner of Police, Villivakkam Range, forthwith. The Assistant Commissioner of Police, Villivakkam Range, to complete the enquiry within a period of two weeks thereafter. The Additional Public Prosecutor Office to cause an enquiry with the Sub Inspector of Police, V4 - Rajamagallam Police Station as to whether the enquiry has been completed and the case was closed on 20.07.2021.



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6. With the above directions, this criminal original petition is disposed of.

Sd/-
Assistant Registrar (CS IV)

True Copy//

Sub Assistant Registrar

sli

To

1. The Commissioner of Police,
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Egmore, Chennai - 600008.
2. The Deputy Commissioner of Police,
Anna Nagar Range,
Chennai - 600 101.
3. The Assistant Commissioner of Police,
Villivakkam Range,
Villivakkam, Chennai - 49.
4. The Inspector of Police,
V4 - Rajamangallam Police Station,
Villivakkam,
Chennai - 600049.
5. The Sub - Inspector of Police,
V4 - Rajamangallam Police Station,
Villivakkam Range,
Chennai.
6. The Public Prosecutor,
High Court, Madras.

+2ccs to Mr.CD.Johnson, Advocate, Sr.3248 (31/01/2022)

CRL.O.P.No.23401 of 2021

GSM[co]
NSK 28/01/2022