



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.23750 of 2021

Saraswathy

... Petitioner

Vs.

The Inspector of Police,
District Crime Branch,
Cuddalore.

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to direct the respondent to register the FIR based on the order passed in Crl.MP.No.434 of 2021 by the Judicial Magistrate Court, Thittakudi, Cuddalore District dated 04.03.2021 within a stipulated time.

For Petitioner : Mr.C.Prabakaran

For Respondent : Mr.L.Baskaran,
Government Advocate (Crl.Side)

O R D E R

This Criminal Original Petition has been filed seeking a direction to the respondent police to register the FIR based on the order passed in Crl.MP.No.434 of 2021 by the Judicial Magistrate Court, Tittagudi, Cuddalore District dated 04.03.2021.

2. The petitioner has initially lodged a complaint before the respondent police on 19.10.2020, however, the respondent police did not take any action. Therefore, the petitioner was constrained to approach the learned Judicial Magistrate, Tittagudi, Cuddalore District under Section 156(3) of Cr.P.C in Crl.MP.No.434 of 2021.

3. The learned Judicial Magistrate vide order dated 04.03.2021 directed the respondent to conduct enquiry, register the FIR and proceeded with the same in accordance with law if any cognizable offence is made out. However, the respondent



without even registering the FIR, simply conducted the enquiry and closed the same on 21.08.2021. When there is a specific direction under Section 156(3) of Cr.P.C, the respondent ought to have registered the complaint and conducted the enquiry. Therefore, the closure report dated 21.08.2021 is hereby set aside and the respondent is directed to register an FIR as directed by the learned Judicial Magistrate, Tittagudi in CrI.MP.No.434 of 2021 vide order dated 04.03.2021 forthwith and conduct enquiry.

4. With the above direction, this Criminal Original Petition is disposed of.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

Vv

To

1. The Judicial Magistrate,
Tittakudi,
Cuddalore District.
2. The Inspector of Police,
District Crime Branch,
Cuddalore.
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.C.Prabakaran, Advocate, S.R.No.33172

CrI.O.P.No.23750 of 2021

SKM(CO)
UMA(24/06/2022)