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Crl.O.P No.26244 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **03.11.2022**

CORAM

**THE HONOURABLE Ms. JUSTICE R.N.MANJULA**

Crl.O.P No.26244 of 2022

M.Sumathi

... Petitioner

Vs.

The State  
Represented by Inspector of Police,  
S-14, Peerkankaranai Police Station,  
Peerkankaranai, Chennai.

... Respondent

**PRAYER:** Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, praying to direct the respondent, the Inspector of Police, S-14, Peerkankaranai Police Station, Peerkankaranai, to register the complaint dated 29.04.2022, which is recorded as CSR No.805 of 2022, dated 21.07.2022, on the file of the respondent Police.

For Petitioner : Mr. S.Ramprasad

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



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## **ORDER**

This petition is filed to direct the respondent, the Inspector of Police, S-14, Peerkankaaranai Police Station, Peerkankaaranai, to register the complaint dated 29.04.2022, which is recorded as CSR No.805 of 2022, dated 21.07.2022, on the file of the respondent Police.

2. On the allegation made by the petitioner that her property was trespassed and rented out to some third parties by name accused, she had given a complaint to the respondent police on 29.04.2022. With much reluctance, the respondent police had taken on file the complaint given by the petitioner in C.S.R. No.805/2022 on 21.07.2022 and enquiry is pending. In the meanwhile, the petitioner had filed a petition under Section 156(3) Cr.P.C. before the learned Judicial Magistrate, Tambaram for registering the First Information Report. But the said petition was dismissed by the learned Judicial Magistrate since it is civil in nature. Now the petitioner has once again filed this petition to direct the respondent police to register the First Information Report.



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3. Since the petitioner had chosen to file a petition under Section 156(3) Cr.P.C., and the same was dismissed by the learned Judicial Magistrate, the rightful course open to the petitioner would be to challenge the said order. However, the petitioner had taken advantage of the pending enquiry in C.S.R. No.805 of 2022 and filed this petition. The manner in which this petition is filed is fundamentally wrong. However, the learned Additional Public Prosecutor on instructions has undertaken that enquiry in C.S.R. No.805 of 2022 will be completed within a period of three weeks. Hence, the respondent police shall complete the enquiry as expeditiously as possible and do the needful in accordance with law.

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

**03.11.2022**

Index : Yes/No  
Speaking Order : Yes / No  
bkn  
To:

1.The Inspector of Police,  
S-14, Peerankakaranai Police Station,  
Peerankakaranai, Chennai.



2. The Public Prosecutor,  
High Court, Madras.

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**R.N.MANJULA, J.,**

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