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Crl.O.P.No.27325 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2022

CORAM:

THE HONOURABLE MS JUSTICE R.N.MANJULA

Crl.O.P.No.27325 of 2022

M/s.Paterson Cancer Center Private Limited
Rep. By its Authorised Signatory
Mr.V.Joseph Aloysius,
Registered Office at
No.175, NSK Salai,
Vadapalani, Chennai – 600 026.

... Petitioner

Vs.

1. The Deputy Commissioner of Police,
T.Nagar Division,
Chennai.

2. The Inspector of Police,
K.K.Nagar Police Station,
Chennai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code, to direct the second respondent/Police, to conduct fair, proper and thorough investigation in accordance with the order, dated 29.08.2022 in Crl.M.P.No.10582 of 2022 of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai to take action and file charge sheet in accordance with law, within a period stipulated by this Court.



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For Petitioner : Mr.B.Natarajan

For Respondents : Mr.S.Santhosh,
Government Advocate (Crl. Side)

ORDER

This Criminal Original Petition has been filed to direct the second respondent Police, to conduct fair, proper and thorough investigation in accordance with the order, dated 29.08.2022 made in Crl.M.P.No.10582 of 2022 passed by the learned XXIII Metropolitan Magistrate, Saidapet, Chennai and to take action and file charge sheet in accordance with law, within a period stipulated by this Court.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondents.

3. The learned counsel for the petitioner would submit that on 29.08.2022, the learned Magistrate, Saidapet in Crl.M.P.No.10582 of 2022, had given a direction to the 2nd respondent Police to conduct investigation



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and complete the same within a period of six weeks. However, no steps have been taken so far.

4. The learned Government Advocate (Crl. Side) would submit that the 2nd respondent summoned the petitioner repeatedly to take up the case. But the petitioner did not make his appearance whenever he was summoned.

5. The learned counsel for the petitioner vehemently objected the said contention raised by the learned Government Advocate (Crl. Side) by stating that the petitioner had been waiting in the Police Station on several days for investigation of the case. But, colluding with the other party, the 2nd respondent has evaded to make proper enquiry.

6. On perusal of the order passed by the learned Magistrate, Saidapet in Crl.M.P.No.10582 of 2022, dated, 29.08.2022, it is seen that the 2nd respondent was directed to conduct investigation and to complete the same within six weeks. The 2nd respondent ought to have complied the order, taken up the case, register FIR and do the needful. However, the 2nd



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respondent did not comply the order of the Court, dated 29.08.2022. Hence, this Court directs the 2nd respondent Police to register the FIR and complete the investigation and file the final report within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this criminal Original Petition is allowed.

08.11.2022

vum

Index:yes/No

Speaking Order / Non speaking order



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To

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1. The Deputy Commissioner of Police,
T.Nagar Division,
Chennai.
2. The Inspector of Police,
K.K.Nagar Police Station,
Chennai.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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R.N.MANJULA,J.

vum

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