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Crl.O.P No.26722 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.11.2022

CORAM :

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P No.26722 of 2022

M.Dhanasekaran

... Petitioner

Vs

1. The Commissioner of Police  
Tambaram Commissioner Office  
Sholinganallur  
Chennai.

2.The Inspector of Police  
Peerankaranai Police Station  
Perungalathur,  
Chennai.

... Respondents

**PRAYER:** Criminal Original Petition filed under Section 482 of Cr.P.C.,  
praying to direct the respondents to register the case on the complaint  
given by the petitioner dated 16.06.2020 and 27.02.2022 and proceed  
with the investigation in accordance with law.

For Petitioner : Mr.V.Elangovan

For Respondents : Mr.S.Santhosh for R1 & R2  
Government Advocate (Crl.side)



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## **ORDER**

The Criminal Original Petition has been filed, seeking a direction to the respondents to register the case on the complaint given by the petitioner dated 16.06.2020 and 27.02.2022 and proceed with the investigation in accordance with law.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents 1 and 2.

3. The learned counsel appearing for the petitioner submitted that he had lodged a complaint as early as on 16.06.2020 itself by alleging that the car bearing Registration No.TN-85F-7954 - TATA ZEST was missing from 14.06.2020. But, so far, no fruitful action has been taken by the 2<sup>nd</sup> respondent. The petitioner had once again sent a reminder in the form of another complaint on 27.02.2022. Even then, no action has been taken so far.



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4. The learned Government Advocate (Crl.Side) submitted that

C.S.R No.211 of 2020 has been given on the similar complaint given by some other person and that the 2<sup>nd</sup> respondent is taking all efforts to secure the accused.

5. If the 2<sup>nd</sup> respondent can understand from the complaint of the petitioner and others that cognizable offence is committed, it is obligatory on the part of the 2<sup>nd</sup> respondent to do the needful in accordance with law. It may not be fair on the part of the 2<sup>nd</sup> respondent to keep the enquiry pending for two long years by assigning C.S.R No.211 of 2020. It cannot be claimed by the prosecution that the cases can be registered only if the accused is secured.

6. In view of the above stated reasons, I feel it is appropriate to direct the 2<sup>nd</sup> respondent to complete the enquiry in C.S.R No.211 of 2020 on the complaint given by some other person and by considering other materials, within a period of two weeks from the date of receipt of the copy of this order and do the needful in accordance with law.



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

04.11.2022

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

1. The Commissioner of Police  
Tambaram Commissioner Office  
Sholinganallur  
Chennai.
2. The Inspector of Police  
Peerankaranai Police Station  
Perungalathur,  
Chennai.
3. The Public Prosecutor  
High Court of Madras.



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**R.MANJULA, J**

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**04.11.2022**