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Crl.O.P.No.29249 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.29249 of 2022

S.Amutha

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Petitioner

Vs.

1.The Inspector of Police,
H-1, Otteri Police Station,
Chengalpattu District,
Chennai – 600 048.

2.The Superintendent of Police,
Chengalpattu District,
Chengalpattu – 603 002.

...

Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the 1st respondent, the Inspector of police, H-1, Otteri Police Station, Chengalpattu District to comply with the direction passed by the Hon'ble Judicial Magistrate Court – II at Chengalpattu in Crl.M.P.No.1722 of 2022 on 17.03.2022.

For Petitioner : Mr.E.Lakshmipathy

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



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ORDER

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This Criminal Original Petition is filed to direct the 1st respondent, the Inspector of police, H-1, Otteri Police Station, Chengalpattu District, to comply with the direction passed by the Judicial Magistrate Court – II, Chengalpattu, in Crl.M.P.No.1722 of 2022, on 17.03.2022.

2.It is seen from the order of the Judicial Magistrate – II, Chengalpattu, in Crl.M.P.No.1722 of 2022, dated 17.03.2022 that the SHO of the Otteri Police Station was directed to hold an enquiry and register the case, if cognizable offence is made out, by following the dictum laid down by the Hon'ble Supreme Court in the case of ***Lalitha Kumari Vs. Govt of Uttarpradesh and others*** reported in ***2013 (4) crimes 243 (SC)***. If preliminary enquiry ends in closing the complaint, the closure report must be recorded along with the reasonings and a copy of the same shall be furnished to the complainant.

3.It is the grievance of the petitioner that so far no FIR was registered or closure report was communicated to the petitioner. In that case, the petitioner ought to have approached the learned Judicial Magistrate – II,



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Chengalpattu for seeking appropriate further directions. Without doing so, approaching this Court straightaway cannot be appreciated.

4.In this view of the matter, this petition is disposed giving liberty to the petitioner to approach the learned Judicial Magistrate – II, Chengalpattu, seeking further direction on the directions given by the learned Judicial Magistrate – II, Chengalpattu, in Crl.M.P.No.1722 of 2022, on 17.03.2022.

5.Accordingly, this Criminal Original Petition is disposed.

09.12.2022

sli

Internet:Yes

Index:Yes/No

Speaking/Non speaking order



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G.CHANDRASEKHARAN, J.

sli

To:

- 1.The Inspector of Police,
H-1, Otteri Police Station,
Chengalpattu District,
Chennai – 600 048.
- 2.The Superintendent of Police,
Chengalpattu District,
Chengalpattu – 603 002.
- 3.The Judicial Magistrate Court – II,
Chengalpattu.
4. The Public Prosecutor,
High Court of Madras.

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