



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.02.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.846 of 2022

M.Baskar

... Petitioner

Vs.

1. The State Represented by,
The Inspector of Police,
Town Police Station,
Aruppukkottai,
Virudhunagar District.

2. Karthigai Selvam

3. Dhanasekaran @ Gnana Sekaran

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 Cr.P.C., to issue direction to the 1st respondent to register a case on basis of the order passed by the Judicial Magistrate Court, Aruppukkottai, Virudhunagar District in Cr.M.P.No.2601/2021, dated 26.11.2021.

For Petitioner : Mr.R.Murugappan

For R-1 : Mr.R.M.Anbunithi,
Additional Public Prosecutor

For R-2 & R-3 : Mr.S.Poornachandran

ORDER

This Criminal Original Petition has been filed to direct the first respondent to register a case on basis of the order passed by the Judicial Magistrate Court, Aruppukkottai, Virudhunagar District in Cr.M.P. No.2601/2021, dated 26.11.2021.

2. The petitioner lodged a complaint alleging that the respondents 2 and 3 herein grabbed the petitioner's property and unlawfully detained the petitioner's son in a lodge and extorted his son. On the said occurrence, the petitioner's son executed a sale deed dated 28.06.2018 in favour of the respondents 2 and 3 herein and as such, the petitioner lodged complaint for appropriate action.



3. However, the first respondent did not take any action and as such, the petitioner approached this Court in Crl.O.P.(MD).No.12594 of 2018 and this Court directed the petitioner to file a petition under Section 156(3) of Cr.P.C before the concerned Judicial Magistrate Court. Accordingly, the petitioner approached the Judicial Magistrate Court, Aruppukkottai, Virudhunagar District in Cr.M.P.No.3594 of 2019 and the same was forwarded to the first respondent for registering the F.I.R. and for investigation. However, the first respondent did not register any F.I.R. and closed the complaint and filed closure report dated 07.03.2019.

4. Thereafter, the petitioner, as directed by this Court in Crl.O.P.(MD).No.3662 of 2021 filed a protest petition and the learned Magistrate, Aruppukkottai, Virudhunagar District directed the first respondent to register the F.I.R and conduct investigation. Even till today, the first respondent did not register any F.I.R. and simply kept the order passed by the learned Magistrate without complying with the same.

5. In view of the above, the first respondent is directed to register the F.I.R as against the respondents 2 and 3 and complete the investigation within a period of twelve (12) weeks thereafter.

6. With the above directions, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (AE)

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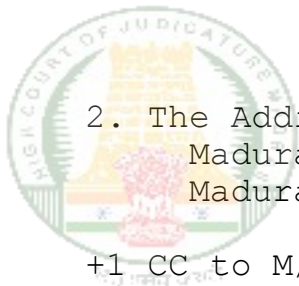
Sub Assistant Registrar(CS)

Lm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Inspector of Police,
Town Police Station,
Aruppukkottai,
Virudhunagar District.



2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-7647[F] dated 22/02/2022)

WEB COPY

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21.02.2022

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