



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Thirtieth day of March Two Thousand
and Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD)No.4060 of 2022
in
CRL OP(MD)SR.No.7144 of 2021

D.Rajasekar ... Petitioner/Petitioner

Vs

1.The Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai City,
Madurai.

3.The Sub Inspector of Police
S.S.Colony Police Station,
Madurai City,
Madurai.

4.The Branch Manager
Bajaji Finance Limited,
S.S.Town No.78/4, 3rd Floor,
Bye Pass Road,
Madurai - 625016.

... Respondents/Respondents

Prayer in Crl.MP(MD)No.4060 of 2022 :- Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C., to Set aside the order dated.27.07.2021 made in Crl.O.P.(MD)S.R.No.7144 of 2021 and restore the Direction petition.

Prayer in Crl.OP(MD)SR.No.7144 of 2021:- Criminal Original Petition is filed under Section 482 of Cr.P.C., to direct the respondents 1 to 3 to take action against the fourth respondent based on the complaint given by the petitioner on 21.02.2021.

ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.N.Madhava Govindan, Advocate for the Petitioner and of Mr.B.Thanga Aravindh,



Government Advocate for the 1st to 3rd Respondents, this Court made the following order:-

This Criminal Miscellaneous petition has been filed to set aside the impugned order dated 27.07.2021, made in Crl.O.P(MD) S.R.No.7144 of 2021.

2.Originally the petitioner filed a petition seeking for direction, to direct the second respondent to consider his complaint and enquire the same. That petition was posted for maintainability. However, the said petition was dismissed for default on 27.07.2021.

3.Perusal of petition reveals that the petitioner lodged a complaint on 21.02.2021, alleging that his vehicle was illegally taken by the accused person. However, the learned Government Advocate (Crl.Side) submitted that the second respondent never received any such complaint nor any petition from the petitioner.

4.Considering the above submission, the restoration of the petition would not serve any purpose, since no complaint is pending on the file of the second respondent. Accordingly, this Criminal Miscellaneous Petition is dismissed. However, the petitioner is at liberty to lodge a fresh complaint before the second respondent and on receipt of the same, the second respondent is directed to proceed in accordance with law.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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 Commissioner of Police,
Madurai City, Madurai.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai City,
Madurai.

<https://hcservices.ecourts.gov.in/hcservices/>



3.The Sub Inspector of Police
S.S.Colony Police Station,
Madurai City,
Madurai.

+ 1 CC to M/s.N.Madhava Govindan, Advocate, SR.No.15586

WEB COPY

ORDER DATED : 30/03/2022

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ORDER

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CRL MP(MD)No.4060 of 2022

in

CRL OP(MD)SR.NO.7144 of 2021

Giving direction and etc.

as stated within.

KB(18.04.2022) 3P 5C