



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD) .No.5851 of 2022

Nehru @ Chokkalingam

... Petitioner

**Vs.**

1.The District Superintendent of Police,  
Sivagangai District,  
Sivagangai.

2.The Inspector of Police,  
Thiruppachetti Police Station,  
Sivagangai District.

3.Azhagumeenal

4.Sathiyamoorthy

5.Kannan

6.Thulasu

... Respondents

**Prayer:** Criminal Original Petition is filed under Section 482 Cr.P.C., to issue direction, directing the 2<sup>nd</sup> respondent to register a case on the basis of the order passed by the Judicial Magistrate Court, Thiruppuvanam, Sivagangai District in Cr.M.P.No.556/2021, dated 17.03.2021, in the petition filed under section 156(3) of Cr.P.C.

For Petitioner : Mr.R.Murugappan

For R-1 & R-2 : Mr.R.M.Anbunithi

Additional Public Prosecutor

**ORDER**

This Criminal Original Petition has been filed for a direction to the second respondent to register the case as directed by the learned Judicial Magistrate, Thiruppuvanam, Sivagangai District in Cr.M.P.No.556 of 2021 by an order dated 17.03.2021.

2. The petitioner lodged complaint as against the respondents 3 to 6 herein before the second respondent and the same has not been considered by the second respondent. Therefore, the petitioner was constraint to file a petition for direction under Section 156(3) of Cr.P.C. before the learned Judicial Magistrate, Thiruppuvanam,



Sivagangai District. The learned Judicial Magistrate considered the said application and by an order dated 17.03.2021 in Cr.M.P.No.556 of 2021, directed the second respondent to conduct enquiry on the complaint dated 29.01.2021. However, even till today, the second respondent did not register any F.I.R and failed to proceed with the investigation.

3. Considering the above, the second respondent is directed to register the F.I.R as against the accused persons as directed by the learned Judicial Magistrate, Thiruppuvanam, Sivagangai District by an order dated 17.03.2021 and investigate the same in accordance with law.

4. Accordingly, this Criminal Original Petition is allowed.

Sd/-

Assistant Registrar (Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

**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 Judicial Magistrate, Thiruppuvanam,  
Sivagangai District
2. The District Superintendent of Police,  
Sivagangai District, Sivagangai.
3. The Inspector of Police,  
Thiruppachetti Police Station, Sivagangai District.
4. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.R.MURUGAPPAN, Advocate ( SR-15804[F] dated 31/03/2022 )

**Crl.O.P(MD) .No.5851 of 2022**

**Date:30.03.2022**

SA(12.04.2022) 2P 6C