



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM:

THE HONOURABLE MR. JUSTICE **G.K. ILANTHIRAIYAN**

CrI.O.P. (MD) No.6324 of 2022

Mohammed Shaheen

...Petitioner

Vs.

1. The Superintendent of Police,
Ramanathapuram District.

2. The Deputy Superintendent of Police,
Ramanathapuram District,
Ramanathapuram.

3. The Inspector of Police,
Pamban Police Station,
Pamban,
Ramanathapuram District.

4. Micheal Fernando

5. A.K.David

6. Sasikumar

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the Respondent No.3 to register the petitioner's complaint dated 05.10.2021 as an FIR in pursuance of the Cr.M.P No. 3142(a) of 2021 on the file of the District Munsif cum Judicial Magistrate Court, Rameshwaram and further direct the Respondent No.3 to investigate into the matter and to file the final report within the stipulated period as prescribed by this Hon'ble Court.

For Petitioner : Mr.S.A.Ajmal Khan

For Respondents : Mr.R.M.Anbunithi

No.1 to 3 Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to direct the third respondent to register the petitioner's complaint dated 05.10.2021 as an FIR in pursuance of the Cr.M.P No. 3142(a) of 2021 on the file of the District Munsif cum Judicial Magistrate Court, Rameshwaram and further direct the third respondent to investigate into the matter and to file the final report within the stipulated period as prescribed by this Hon'ble Court.

2. The petitioner initially lodged complaint before the respondents 1 to 3 and the same has not been considered and no First Information Report was registered, therefore the petitioner was constrained to file a petition under Section 156(3) before the



learned District Munsif cum Judicial Magistrate, Rameshwaram. The learned Magistrate by an order dated 27.01.2022 has directed the third respondent to investigate the same and report.. However the third respondent conducted enquiry and closed the same and closure report was also submitted before the learned Magistrate.

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3. After issuing direction under Section 156(3) of Cr.P.C the third respondent ought to have first register the First Information Report and conducted investigation. Without registering the First Information Report investigation has been conducted and the closure report was also submitted by the third respondent. In view of the same the closure report submitted by the third respondent is set aside. The third respondent is directed to register the First Information Report as directed by the learned Magistrate in Cr.M.P.No.3142(a) of 2021 dated 27.01.2022 and complete the investigation and file a report before the concerned Court.

4. With the above direction, the petition stands disposed of.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The District Munsif cum Judicial Magistrate,
Rameshwaram

2. The Superintendent of Police,
Ramanathapuram District.

3. The Deputy Superintendent of Police,
Ramanathapuram District, Ramanathapuram.

4. The Inspector of Police,
Pamban Police Station,
Pamban, Ramanathapuram District.

5.The Additional Public Prosecutor
Madurai Bench of Madras High Court
Madurai.

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