



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2022

CORAM:

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

Crl.O.P.(MD) No.8455 of 2022

Fathima Roshan

...Petitioner/Petitioner

Vs.

1. State of Tamilnadu
Represented by its,
The Inspector of Police,
Government Hospital Police Station,
Tiruchirapalli.

2. B. Mohammed Ashwar

...Respondents/Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to set-aside the return endorsement made in Un-Numbered Cr.M.P.No. of 2020 dated 24.01.2020 on the file of the Learned Judicial Magistrate No.IV, Tiruchirapalli and consequently direct the Learned Judicial Magistrate No.IV, Tiruchirapalli to number the complaint and dispose the same in accordance with law within the time frame.

For Petitioner : Mr. M. Saravanan

For Respondents : Mr. R.M.Anbunithi,
No. R1 Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to set-aside the return endorsement made in Un-Numbered Cr.M.P.No. of 2020 dated 24.01.2020 on the file of the learned Judicial Magistrate No.IV, Tiruchirapalli and consequently direct the learned Judicial Magistrate No.IV, Tiruchirapalli to number the complaint and dispose the same in accordance with law within the time frame.

2. The petitioner has lodged complaint under Section 200 of Cr.P.C, as against the respondents, however it was returned for one reason or other repeatedly.

3. It is made clear that the Court below without going into the merits of the complaint, whether cognizable offence is made out or not from the alleged averment made in the complaint, shall take complaint on file. While taking the complaint on file, the Court ought to have seen whether the complaint is in order or not.

4. In view of the above, the petitioner is directed to represent the complaint and on receipt of the same, the learned Judicial Magistrate No.IV, Tiruchirapalli is directed to take the



complaint on file and deal with the same, if the papers are otherwise in order.

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

Sd/-

WEB COPY

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

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To

1. The Judicial Magistrate No.IV, Tiruchirapalli

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

Copy to:

The Section Officer, E.R. Section,
Madurai Bench of Madras High Court,
Madurai.

(Registry is directed to return the original complaint to the learned counsel for the petitioner after substituting the same with the xerox copy)

+1 CC to M/s.M.SARAVANAN, Advocate (SR-22801[F] dated 29/04/2022)
Cr1.O.P.(MD) No.8455 of 2022
29.04.2022

MGJ(03.06.2022) 2P 5C