



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.01.2022

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P(MD)No.10324 of 2019

and

W.M.P(MD)No.8749 of 2019

M.Muthurajan

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai City.

2.The Assistant Commissioner of Police,
Crime Branch,
Madurai City.

3.The Inspector of Police,
Central Crime Branch,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the third respondent to register the petitioner's complaint dated 12.01.2019.

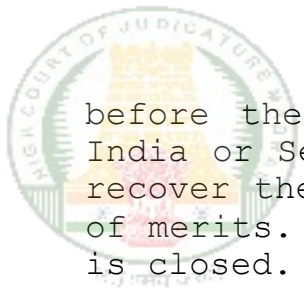
For Petitioner	: Mr.S.Thirupathy
For Respondents	: Mr.P.Kottaichamy Government Advocate

ORDER

This writ petition has been filed seeking direction to the third respondent police to register the complaint, dated 12.01.2019.

2. A reading of the complaint indicates that there was a money transaction between the petitioner and one Seit Naina Mohammed and for the said purpose a criminal colour has been given and the petitioner has moved this Court.

3. The police after registering the complaint, dated 12.01.2019 has rightly closed the same as 'mistake of fact' on 21.02.2019 since the petitioner himself has stated that he has to work out the remedy



before the appropriate Court. Article 226 of the Constitution of India or Section 482 Cr.P.C., is not a remedy for the petitioner to recover the money. Hence, the writ petition is dismissed as devoid of merits. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Commissioner of Police,
Madurai City.
- 2.The Assistant Commissioner of Police,
Crime Branch,
Madurai City.
- 3.The Inspector of Police,
Central Crime Branch,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.THIRUPATHI, Advocate (SR-1530[F] dated 12/01/2022)

W.P(MD)No.10324 of 2019

10.01.2022

MGJ(03.02.2022) 2P 6C