



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P. (MD)No.10433 of 2020

S.Kandiyaraja

... Petitioner/Defacto Complainant

Vs.

1.The Sub-Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar.

... 1st Respondent/Complainant

2.Balasubramanian

... 2nd Respondent/Accused

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to direct the first respondent to register a case based on the complaint of the petitioner dated 12.03.2020 in C.S.R.No.45 of 2020, dated 16.03.2020 as per the orders passed in Cr.M.P.No.3840 of 2020, dated 16.07.2020 on the file of the learned Judicial Magistrate No.II, Virudhunagar and to investigate the same in accordance with law.

For Petitioner	: Mr.G.Mariappan
For R - 1	: Mr.R.M.Anbunithi Additional Public Prosecutor
For R - 2	: Mr.B.Saravanan

ORDER

This Criminal Original Petition has been filed for a direction, directing the first respondent to register a case, as per the orders passed by the learned Judicial Magistrate No.II, Virudhunagar in Cr.M.P.No.3840 of 2020, dated 16.07.2020.

2.The learned Additional Public Prosecutor appearing for the first respondent would submit that as directed by the learned Judicial Magistrate No.II, Virudhunagar, the first respondent conducted enquiry and closed the same on 15.08.2020.

3.The learned counsel appearing for the second respondent would submit that the petitioner and others have filed batch of Writ Petitions before this Court in W.P(MD)Nos.6865 to 6871 of 2020 etc batch, and this Court by an order, dated 07.01.2022, disposed of all the Writ Petitions observing that on the representations of the petitioners and others, the Department had initiated proceedings as against the second respondent and he was suspended from service. Thereafter, the department conducted enquiry and initiated proceedings as against the second respondent and he was given warning and his suspension period was treated as leave period, by an



order dated 08.06.2021. In view of the order passed as against the second respondent by the Department, the first respondent closed the complaint and the same has been reported before the learned Judicial Magistrate No.II, Virudhunagar.

4. Recording the said submission, this Criminal Original Petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ps

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 No.II,
Virudhunagar.
- 2.The Sub-Inspector of Police,
Virudhunagar Rural Police Station,
Virudhunagar.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.G. MARIAPPAN, Advocate (SR-21395[F] dated 26/04/2022)

+1 CC to M/s.B.SARAVANAN, Advocate (SR-21071[F] dated 26/04/2022)

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