



Crl.O.P.(MD) No.13104 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 21.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.13104 of 2022

T.S.Saravanan

... Petitioner

Vs

The Inspector of Police,
Sivagangai Nagar Police Station,
Sivagangai.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the respondent Police to register the FIR on the complaint given by the petitioner, as per the order passed by the Judicial Magistrate No.1, Sivagangai, in Crl.M.P.No.1595 of 2022, dated 19.05.2022 and investigate the same in accordance with law.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.R.Suresh Kumar,
Government Advocate (Crl.Side)

ORDER

This Criminal Original Petition has been filed to direct the respondent Police to register the FIR on the complaint given by the



Crl.O.P.(MD) No.13104 of 2022

petitioner, as per the order passed by the Judicial Magistrate No.1, Sivagangai, in Crl.M.P.No.1595 of 2022, dated 19.05.2022 and investigate the same in accordance with law.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3.The learned counsel appearing for the petitioner submitted that the petitioner has filed a petition under Section 156(3) Cr.P.C., in Crl.M.P.No. 1595 of 2022 on the file of the learned Judicial Magistrate No.1, Sivagangai, to register the case and the learned Judicial Magistrate No.1, Sivagangai, forwarded the case to the respondent Police to register the case on 19.05.2022. He further submitted that the respondent Police has not registered the case and kept the complaint without any progress. Hence, the present petition has been filed.

4.The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the respondent police has conducted the enquiry on 04.06.2022 and 17.06.2022 and on enquiry, the respondent



Crl.O.P.(MD) No.13104 of 2022

police found that there is no evidence for the commission of offence as stated by the complaint and there is no case made out for registering the case. Hence, the respondent Police closed the complaint as no action is required and report has been sent to the concerned Judicial Magistrate on 20.07.2022.

5.On perusal of the materials available on records, the fact reveals that the petitioner has filed a petition under Section 156(3) Cr.P.C., in Crl.M.P.No.1595 of 2022 on the file of the learned Judicial Magistrate No. 1, Sivagangai, to register the case and on 19.05.2022, the learned Judicial Magistrate No.1, Sivagangai, forwarded the case to the respondent Police to register the case and file a final report within a period of four weeks from the date of receipt of a copy of that order. But the respondent police has not registered the case and closed the complaint as no action is required.

6.Recording the same, this Criminal Original Petition is closed with liberty to the petitioner to approach the learned Judicial Magistrate No.1, Sivagangai, for taking further appropriate action upon the closure report of the respondent Police and the learned Judicial Magistrate No.1, Sivagangai,



Crl.O.P.(MD) No.13104 of 2022

is directed to consider the report of the respondent Police and to decide the matter on merits.

21.07.2022

Internet: Yes./No

Index: Yes/no

vsg

To

- 1.The learned Judicial Magistrate No.1,
Sivagangai.
- 2.The Inspector of Police,
Sivagangai Nagar Police Station,
Sivagangai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD) No.13104 of 2022

V.SIVAGNANAM, J.

vsg

ORDER IN
CRL.O.P (MD) No.13104 of 2022

21.07.2022