



CrI.O.P.(MD) No.22129 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

CrI.O.P.(MD) No.22129 of 2022

K. Sankar,

: Petitioner

Vs

1. The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2. The Inspector of Police,
Central Police Station,
Thoothukudi District.

3.R.Mahendran
4.M.Dhanaselvi

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to direct the learned Judicial Magistrate No.II, Thoothukudi, to take the petition on file, filed under Section 156(3) of Cr.P.C..

For Petitioner : Mr.B.Janarthkumar
For R1 and R2 : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

This criminal original petition has been filed seeking a direction to the learned Judicial Magistrate No.II, Thoothukudi, to take the petition on file, filed under Section 156(3) of Cr.P.C..

2.The learned Counsel appearing for the petitioner would submit that the learned Magistrate has returned the complaint with an endorsement 'no jurisdiction in this Court' and the same was represented by the learned Counsel appearing for the petitioner that the complaint was sent to central Police Station and hence that Court has competent jurisdiction. However, again, the learned Judicial Magistrate No.II, Thoothukudi, has returned the same on the ground of limitation and for payment of Court fee.

3.Considering the nature of the complaint, this Court is of the view that the returns made by the learned Judicial Magistrate No.II, Thoothukudi, are not proper and are not in accordance with law. Hence, the petitioner is directed to re-present the petition and on such re-presentation, the learned Judicial Magistrate No.II, Thoothukudi, is directed to receive the same and take it on file, if it is or otherwise in order and pass orders on merits and in



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accordance with law.

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4.Registry is directed to return the original returned petition to the learned Counsel appearing for the petitioner, after obtaining a copy of the same on proper acknowledgment forthwith.

5.With the above directions, this criminal original petition is disposed of.

19.12.2022

Internet:Yes
Index:Yes/No
Speaking/Non speaking order
lr

To
1. The Superintendent of Police,
Thoothukudi District, Thoothukudi.

2. The Inspector of Police,
Central Police Station,
Thoothukudi District.

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

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K.MURALI SHANKAR, J.

lr

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