



Crl.OP.No.3355 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 14.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3355 of 2023

C.Duraikannu

... Petitioner

Vs.

1. The Commissioner of Police,
No.132, EVK Sampath Road,
Vepery, Periamet,
Chennai – 600 007.

2. The Deputy Commissioner of Police,
Poonamalle High Road,
Kilpauk,
Chennai – 600 010.

3. The Inspector of Police (Crime),
G-3, Kilpauk Police Station,
Poonamallee High Road,
Kilpauk, Chennai – 600 010.

... Respondents

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to direct the respondent to register the complaint in pursuance of the order passed by the learned II Metropolitan Magistrate, Egmore, Chennai in Crl.M.P.No.12576 of 2022.



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For Petitioner : Mr.M.Arun

For Respondent : Mr.S.Santhosh
Government Advocate(Crl.side)

ORDER

This Criminal Original Petition has been filed to direct the respondent to register the complaint in pursuance of the order passed by the learned II Metropolitan Magistrate, Egmore, Chennai in Crl.M.P.No.12576 of 2022.

2. The learned counsel for the petitioner submitted that petitioner filed complaint before the learned II Metropolitan Magistrate, Egmore, Chennai in Crl.M.P.No.12576 of 2022 dated 19.07.2022, wherein the learned Magistrate directed the respondent therein to follow the guidelines given by the Hon'ble Apex Court in the case of ***Lalita Kumari Vs. Government of Uttar Pradesh and others [2014 (2) SCC (1)]*** to register the FIR, if any cognizable offence is made out and file a report within a period of two months. He further submitted that, on the complaint given by the petitioner, respondent police filed closure report stating that enquiry revealed that there is no prima facie material available for the commission of cognizable offence and therefore filed report dropping further action. He further submitted that dropping further action is not



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appropriate, necessitating the filing of this petition.

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3. The learned Government Advocate (Crl. Side) submitted that, based on the complaint given by the petitioner, enquiry was conducted in C.S.R.No.735 of 2021 and the same was closed, since, as per the allegations made in the complaint, there was no cognizable offence made out.

4. Under such circumstances, this Criminal Original Petition is dismissed. However, it is open to the petitioner to challenge the final report in the manner known to law.

14.02.2023

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
Sma

G.CHANDRASEKHARAN,J.



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To

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2. The Deputy Commissioner of Police,
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Kilpauk,
Chennai – 600 010.
3. The Inspector of Police (Crime),
G-3, Kilpauk Police Station,
Poonamallee High Road,
Kilpauk, Chennai – 600 010.
4. The Public Prosecutor,
High Court of Madras, Chennai.

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