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Crl.O.P.No.6291 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.6291 of 2023

S.K.Gajalakshmi

...Petitioner

Vs

1.The Commissioner of Police
Tambaram Commissioner Sholinganallur
Chennai - 600 119

2.State Rep By Its
The Inspector of Police ,
S-6 Sankar Nagar Police Station,
Tambaram Commissionerate Limit.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying, to direct the Inspector of police S-6 Sankar Nagar police station, the 2nd respondent, herein, to register the complaint dated 08.11.2018, pursuant to the direction of the Ld Judicial Magistrate at Tambaram in Crl.M.P No. 1120 of 2022 dated 18.03.2022.

For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.S.Santhosh (For R1 to R5)
Government Advocate (Crl. Side)



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ORDER

This Criminal Original Petition has been filed to direct to direct the Inspector of police S-6 Sankar Nagar police station, the 2nd respondent, herein, to register the complaint dated 08.11.2018, pursuant to the direction of the Ld Judicial Magistrate at Tambaram in Crl.M.P No. 1120 of 2022 dated 18.03.2022.

2.The learned counsel for the petitioner submitted that petitioner filed a complaint under Section 156 (3) Cr.P.C. before the learned Judicial Magistrate No.II, Tambaram. The learned Judicial Magistrate No.II, Tambaram, passed an order on 18.03.2022 observing that this case is a fit case to forward to respondent Police under Section 156 (3) Cr.P.C. There is a direction to the Inspector of Police, Sankar Nagar Police station, to conduct investigation with regard to the complaint given by the petitioner in accordance with law as laid down by the Hon'ble Supreme Court in ***Lalitha Kumari Vs. State of Uttar Pradesh and others*** and file the report as early as possible.

3.It is the further submission of learned counsel for the petitioner that though the order was passed on 18.03.2022, so far no First Information



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Report was registered or report was filed. Therefore, this petition.

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4.The learned Government Advocate (Criminal side) submitted that proper instruction will be given to comply with the order of learned Judicial Magistrate, Tambaram.

5.This Court finds that learned Judicial Magistrate No.II, Tambaram, found that this case is a fit case to forward complaint under Section 156 (3) Cr.P.C. to the respondent Police and direction was given to the respondent to conduct enquiry as laid down by the Hon'ble Supreme Court in ***Lalitha Kumari Vs. State of Uttar Pradesh and others*** case and file a report as early as possible. It is informed that so far no First Information Report is registered or report is filed. In such circumstances, this Court directs the respondent Police to conduct enquiry as laid down observation made in the ***Lalitha Kumari Vs. State of Uttar Pradesh and others*** case. In this case, if cognizable offence is made out, the respondent is directed to initiate proceedings, otherwise he is directed to close the complaint in the manner known to law and intimate the parties within a period of two weeks from the date of receipt of copy of this order.



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6. With the above direction and observation, the Criminal Original
Petition is disposed of.

20.03.2023

Internet: Yes
Index: Yes/No
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To:

- 1.The Commissioner of Police
Tambaram Commissioner Sholinganallur
Chennai - 600 119
- 2.State Rep By Its
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S-6 Sankar Nagar Police Station,
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G.CHANDRASEKHARAN, J.
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