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Crl.O.P.No.5893 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2023

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.5893 of 2023

Sampath

...Petitioner

Vs.

The Inspector of Police,
District Crime Branch,
Ariyalur District.

...Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the respondent to register the case pursuant to the proceedings in Crl.M.P.No.1521 of 2022 dated 02.09.2022 on the file of the Judicial Magistrate No I, Ariyalur.

For Petitioner : Mr.V.Illanchezian

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

ORDER



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This Criminal Original Petition is filed for directing the respondent to register the case pursuant to the proceedings in CrI.M.P.No.1521 of 2022 dated 02.09.2022 on the file of the Judicial Magistrate No I, Ariyalur.

2. Learned counsel for the petitioner submitted that, petitioner filed a private complaint under Section 156(3) of Cr.P.C before learned Judicial Magistrate No.1.Ariyalur. Learned Magistrate forwarded the complaint to District Crime Branch, Ariyalur to make entry in the relevant register and investigate the case and file a report. Even thereafter, respondent has not registered the First Information Report, necessitating filing of this petition.

3. In response, learned Government Advocate (Criminal side) submitted that, on the basis of the complaint forwarded by the learned Judicial Magistrate No.1.Ariyalur, enquiry was conducted. Preliminary enquiry revealed that, the issue between the parties is 'Civil in nature' and 138 NI Act proceedings is pending between the parties and therefore, no First Information Report was registered. The enquiry report was sent to the learned Judicial Magistrate No.1.Ariyalur informing the closure of the complaint.



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4. In view of the submissions of the learned Government Advocate (Criminal side), this petition is disposed, giving liberty to the petitioner to workout his remedy in the manner known to law.

15.03.2023

Internet :Yes

Index :Yes/No

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To:

- 1.The Judicial Magistrate No I,
Ariyalur.
- 2.The Inspector of Police,
District Crime Branch,
Ariyalur District.
- 3.The Public Prosecutor,
High Court of Madras.



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G.CHANDRASEKHARAN, J.

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