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CrI.O.P.No.6659 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.03.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.CHANDRASEKHARAN**

CrI.O.P.No.6659 of 2023

B.Karthikeyan

...Petitioner

Vs.

The Inspector of Police (Crime),
J-2, Adyar Police Station,
Adyar, Chennai-600020.

...Respondent

PRAYER: Criminal Original Petition is filed under Sections 397 and 401 of the Code of Criminal Procedure, to set aside the docket order of the learned IX Metropolitan Magistrate, Saidapet, Chennai-15 in Unnumbered C.C.No..... of 2022 docket order dated 01.09.2022 and entertain the above Unnumbered C.C.No. and allow the above Criminal Revision.

For Petitioner : Mr.G.V.Sridharan
For Respondent : Mr.S.Santhosh
Government Advocate (Criminal side)

ORDER

This Criminal Original Petition has been filed to set aside the docket order of the learned IX Metropolitan Magistrate, Saidapet, Chennai-15 in Unnumbered C.C.No..... of 2022 docket order dated 01.09.2022.



CrI.O.P.No.6659 of 2023

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CrI.O.P.No.6659 of 2023

cheques”. Challenging the return, this petition has been filed.

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3. In response, the learned Government Advocate (CrI.Side) submitted that the petitioner had again given a complaint dated 05.01.2023 alleging money quarrel and also job racketing against one Maheswrai and Lakshmi Tharani. On the basis of the complaint, the investigation is pending in CSR.No.4 of 2023.

4. With regard to the order passed in Unnumbered C.C.No..... of 2022 dated 01.09.2022, by the learned IX Metropolitan Magistrate, Saidapet, Chennai-15 for returning the complaint, this Court directs the learned IX Metropolitan Magistrate, Saidapet, Chennai-15 to pass appropriate orders on merits on the complaint, taking into consideration the allegations of cheating said to have been committed by the accused by receiving money for getting employment in Tamil Nadu Electricity Board. If cognizable offence is made out on the face of the allegations made in the complaint, the learned Magistrate has to pass appropriate orders. Returning of the complaint is not proper and appropriate. Therefore, this Court directs the learned IX Metropolitan Magistrate, Saidapet, Chennai-15 to pass appropriate orders on the private complaint, within a period of two weeks from the date of receipt of a



CrI.O.P.No.6659 of 2023

copy of this order. In the light of the private complaint already filed, the respondent

Police is directed to take appropriate action depending upon the orders to be passed by the learned IX Metropolitan Magistrate, Saidapet, Chennai-15.

5. Registry is directed to return the original copy of the complaint filed under Section 156(3) of Cr.P.C along with other documents after getting substitution copies of the same.

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

24.03.2023

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Index:Yes/No

Speaking Order: Yes/No

G.CHANDRASEKHARAN.J.,



WEB COPY



Crl.O.P.No.6659 of 2023

mn

To

- 1.The IX Metropolitan Magistrate, Saidapet, Chennai-15.
2. The Inspector of Police (Crime),
J-2, Adyar Police Station,
Adyar, Chennai-600020.
- 3.The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.6659 of 2023

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