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Crl.O.P.No.10516 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.05.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No.10516 of 2023

Sridevi

... Petitioner

Vs

1.Girija

2.The State rep by

The Inspector of Police,
Ponneri Police Station,
Kancheepuram District.
Crime No.428 of 2023

... Respondent

Prayer:Criminal Original Petition filed under Section 482 Cr.P.C. to direct the second respondent to register the FIR based on the order dated 21.02.2023 in Crl.MP.No.428 of 2023 passed by the learned Judicial Magistrate No.I, Ponneri.

For Petitioner : Mr.K.Prabhakaran

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



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ORDER

This Criminal Original Petition has been filed to direct the second respondent police to register a case on the complaint of the petitioner dated 26.07.2022.

2. The learned counsel appearing for the petitioner submitted that the petitioner lodged a compliant before the second respondent on 26.07.2022 and the same was not considered and he was issued only C.S.R.No.265 of 2022 on 17.09.2022. Even then, the second respondent did not registered a case as against the accused. Therefore the petitioner filed a petition in Crl.M.P.No.428 of 2023, before the learned Judicial Magistrate No.I, Ponneri under Section 154(3) of Cr.P.C and the learned Magistrate, by an order dated 21.02.2023, had directed the second respondent to conduct a preliminary enquiry and register FIR. Even after receipt of the same, the second respondent did not register a case as against the accused person. Therefore it is a fit case for direction to direct the second respondent to register a case as against the accused person as directed by the learned Judicial Magistrate No.I, Ponneri, in Crl.M.P.No.428 of 2023, by an order



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dated 21.02.2023. Hence, he prayed to allow this petition.

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3.The learned Government Advocate (crl.side) would submit after the direction issued by the learned Magistrate, the complaint is pending for registration.

4. Considering the above facts and circumstances, the second respondent is directed to register FIR and proceed with the investigation as directed by the learned Judicial Magistrate No.I, Ponneri in CMP.No.428 of 2022 by order dated 21.02.2023 forthwith.

5.With the above direction, this Criminal Original Petition is allowed.

05.05.2023

Internet:Yes

Index:Yes/No

Speaking/Non speaking order

vkrr



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G.K.ILANTHIRAIYAN. J.

vkrr

To

- 1.The Inspector of Police,
Ponneri Police Station,
Kancheepuram District.
- 2.The Judicial Magistrate No.I
Ponneri.
- 3.The Public Prosecutor,
High Court, Madras.

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