



Crl.O.P.No.22175 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.22175 of 2023

R.Lavanya
D/o.Rajendran

... Petitioner

Vs.

1.The Inspector of Police,
V-7, Nolambur Police Station,
Anna Nagar District,
Chennai - 600 040.

2.The Deputy Commissioner of Police,
Anna Nagar District,
Chennai - 600 040.

3.The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

... Respondents

Criminal Original Petition filed under Section 482 Cr.P.C., to issue appropriate direction to the learned Judicial Magistrate, Ambattur to pass order on the closure report filed by the first respondent dated 18.05.2023



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made in Crl.M.P.No.366 of 2023 on the file of the Judicial Magistrate, Ambattur.

For Petitioner : Mr.P.M.Duraiswamy

For Respondents : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed challenging the closure report filed by the first respondent dated 18.05.2023.

2. The petitioner filed an application under Section 156(3) Cr.P.C. before the learned Judicial Magistrate, Ambattur and based on the same, the learned Judicial Magistrate, Ambattur, passed an order on 01.03.2023 directing the first respondent to register a case and to investigate the same in accordance with law.

3. The grievance of the petitioner is that the first respondent even without registering a First Information Report, straight away went ahead with the enquiry and had filed the closure report. Aggrieved by the same,



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the present petition has been filed.

4. Heard Mr.P.M.Duraiswamy, learned counsel appearing on behalf of the petitioner and Mr.A.Damodaran, learned Additional Public Prosecutor appearing on behalf of the respondents.

5. In the considered view of this Court, the direction issued by the learned Judicial Magistrate, Ambattur has not been complied with by the first respondent. The first respondent ought to have registered a First Information Report and thereafter, carried on with the investigation. Without doing so, an enquiry was conducted and the complaint was closed. Such procedure that was adopted by the first respondent is illegal on the face of it. Hence, the closure report dated 18.05.2023 filed by the first respondent is hereby set aside.

6. There shall be a direction to the first respondent to register a First



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Information Report in obedience to the orders passed by the learned Judicial Magistrate, Ambattur in Crl.MP.No.366 of 2023 dated 01.03.2023 and to proceed further with the investigation in line with Chapter 12 of the Code of Criminal Procedure and file a final report or a closure report, as the case may be, as expeditiously as possible.

This Criminal Original Petition is disposed of with the above directions.

27.09.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
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To

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- 3.The Commissioner of Police,
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- 4.The Public Prosecutor,
High Court, Madras.



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