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Crl.O.P.No.22637 of 2023



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.10.2023

CORAM :

THE HONOURABLE Dr. JUSTICE G.JAYACHANDRAN

Crl.O.P.No.22637 of 2023

P.Gopal

... Petitioner

-VS-

1.The Commissioner of Police, Tambaram.

2.The Superintendent of Police,
Chengalpattu District, Chengalpattu.

3.The Inspector of Police,
District Crime Branch,
Chengalpattu.

...Respondents

PRAYER : Criminal Original Petition has been filed under Section 482 of Criminal Procedure Code, to direct the respondent police to register a First Information Report on the complaint preferred by the petitioner dated 07.10.2020 as per the orders dated 21.06.2022 passed in Crl.M.P. No.5372 of 2022 under Section 156(3) of Cr.P.C. by the learned Judicial Magistrate, Chengalpattu.

For Petitioner : Mr.S. Lieutenant Colonel Ganesan

For Respondent : Mr.S.Udaya Kumar,
Government Advocate (Crl.Side)



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ORDER

The petitioner herein has approached the learned Judicial Magistrate, Chengalpattu to register the complaint under Section 156(3) of Cr.P.C. Pursuant to the direction of the learned Judicial Magistrate in its order dated 21.06.2022, the respondent Police has registered the case in Crime No.33 of 2022 and the matter is under investigation.

2. The petitioner who claims title over the property ought to have approached the Civil Court for declaring the fraudulent registration as null and void. Strangely in this case, the petitioner has not approached the Civil Court for declaration, he wants only criminal prosecution which is not a proper and adequate remedy for cases of this nature. In any event, the respondent police shall complete the investigation within three months and the final report shall be filed within the reasonable time.

3. This Criminal Original Petition is hereby dismissed.

05.10.2023

Internet : Yes/No
Index : Yes/No
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To

1. The Judicial Magistrate, Chengalpattu.
2. The Commissioner of Police, Tambaram.
3. The Superintendent of Police,
Chengalpattu District, Chengalpattu.
4. The Inspector of Police,
District Crime Branch,
Chengalpattu.
5. The Public Prosecutor,
Madras High Court, Madras.



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Dr.G.JAYACHANDRAN, J.

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