



Crl.O.P.(MD) No.1877 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2023

CORAM:

THE HONOURABLE MR. JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD) No.1877 of 2023

Balamurugan,

: Petitioner

Vs

1. The Superintendent of Police,
Sivagangai, Sivagangai District

2. The Additional Superintendent of Police,
Sivagangai, Sivagangai District

3. The Deputy Superintendent Of Police,
Thirupathur Sub Division,
Sivagangai District

4. The Inspector of Police,
Singampunari Police Station,
Sivagangai District

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying this Court to call for the records and to set aside the fourth respondent's report dated 02.01.2023 in Crl.MP.No.3210 of 2022 on the file of the learned



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Judicial Magistrate, Singampunari, Sivagangai District as illegal and consequently direct the fourth respondent to Register the FIR based on the petitioner's complaint, dated 01.03.2022, investigate the same within a stipulated time limit as fixed by this Court.

For Petitioner : Mr.A.Prasanna Rajadurai
For Respondents : Mr.M.Muthumanikkam
Government Advocate (Crl.Side)

ORDER

This criminal original petition has been filed seeking to set aside the fourth respondent's report dated 02.01.2023 in Crl.MP.No.3210 of 2022 on the file of the learned Judicial Magistrate, Singampunari, Sivagangai District as illegal and consequently direct the fourth respondent to register an FIR based on the petitioner's complaint, dated 01.03.2022, investigate the same.

2.It is evident from the report that the fourth respondent has referred the findings of the Additional Superintendent of Police/second respondent, who conducted the enquiry and gave his findings on 28.04.2022.

3.The learned Government Advocate (Crl.Side) would submit that the petitioner has preferred a complaint before the Inspector General of Police



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(South Zone), Tamil Nadu, who forwarded the same to the second respondent and the second respondent has conducted an enquiry and gave his findings on 28.04.2022. Thereafter, the petitioner has filed a petition before the jurisdictional Court and the learned Magistrate has directed the fourth respondent to register an FIR if any cognizable offence is disclosed and on that basis, the enquiry was conducted and the fourth respondent gave the negative report.

4.The fourth respondent's report, referring the findings of the second respondent cannot be found fault with. If the petitioner is aggrieved over the same, he can very well prefer a private complaint and produce the materials available with him.

5.With the above direction, this criminal original petition is disposed of.

01.02.2023

NCC:Yes/No
Index:Yes/No
Internet:Yes/No
lr

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To

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2. The Additional Superintendent of Police,
Sivagangai, Sivagangai District
3. The Deputy Superintendent Of Police,
Thirupathur Sub Division,
Sivagangai District
4. The Inspector of Police,
Singampunari Police Station,
Sivagangai District
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

lr

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