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Crl.O.P.(MD)No.13172 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.07.2023**

CORAM:

THE HONOURABLE DR.JUSTICE **D.NAGARJUN**

Crl.O.P.(MD) No.13172 of 2023

Murugan

Vs.

... Petitioner

1.The Superintendent of Police,
Dindigul, Dindigul District.

2.The Deputy Superintendent of Police,
Dindigul Rural, Dindigul District.

3.The Inspector of Police,
Taluk Police Station,
Dindigul, Dindigul District.

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, directing the third respondent Police to comply with the orders passed by the learned Judicial Magistrate No.I, Dindigul in Crl.M.P.No. 19548 of 2022 dated 14.11.2022 and consequently direct the third respondent to register the complaint dated 01.10.2022 and proceed in accordance with law.

For Petitioner : Ms.M.Benazir Begum

For Respondents : Mr.B.Thanga Aravindh
Government Advocate (Criminal Side)



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ORDER

This Criminal Original Petition is filed seeking for a direction to the respondent Police to take action basing on the directions given by the learned Judicial Magistrate No.I, Dindigul, in Crl.M.P.No. 19548 of 2022, dated 14.11.2022.

2. It is submitted by learned counsel for the petitioner that the petitioner has filed a complaint against one Jeyaraj alleging that the said Jeyaraj has collected exorbitant interest and collected some Pronotes from the petitioner. As the Police could not register any case, the petitioner has stated to have approached the concerned Judicial Magistrate Court and filed a complaint under Section 200 Cr.P.C read with 156 (3) of Cr.P.C. Accordingly, learned Magistrate has passed directions in Crl.M.P.No.19548 of 2022, dated 14.11.2022, directing the third respondent to register the criminal case. However, no case has been registered so far, thereby, sought for suitable directions.

3. Learned Government Advocate (Criminal Side) on the other hand, submits that, subsequent to receiving of directions from the learned Magistrate, the petitioner / *defacto* complainant has approached the Police and gave in writing that he has been withdrawing the



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complaint by obtaining all original documents from the accused person and accordingly, the respondent Police stated to have sent a report to the concerned Magistrate Court on 16.12.2023 and closed the case.

4. The conduct of the petitioner approaching this Court in the month of July when the respondent Police stated to have forcefully taken the signatures of the *defacto* complainant on 22.11.2022 becomes doubtful. If at all, the petitioner has got any grievance against the respondent Police in respect of the forcefully extracting the documents on 22.11.2022, the petitioner in normal course should have approached the senior Police Officials making a complaint against respondent No.3. He should have approached the learned Magistrate making a complaint or filing an appropriate application for a direction to the respondent Police to register the case. He should have atleast approached this Court complaining that respondent No.3 Police has forcefully extracted and he should also give a legal notice to respondent No.3 for forcefully extraction of the documents. The petitioner, now, submits that, after receiving of the documents on 22.11.2022, from the proposed accused has kept quiet as the matter was settled.



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5. Since the investigation has already been completed by the respondent Police and the report has already been submitted to the learned Magistrate Court, no orders required to be passed in this case.

6. In view of the above, the Criminal Original Petition stands dismissed.

24.07.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
tsg
To

- 1.The Superintendent of Police,
Dindigul, Dindigul District.
- 2.The Deputy Superintendent of Police,
Dindigul Rural, Dindigul District.
- 3.The Inspector of Police,
Taluk Police Station,
Dindigul, Dindigul District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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DR.D.NAGARJUN. J.

tsg

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