



CrI.O.P.(MD) No.15185 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.08.2023**

CORAM:

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

CrI.O.P.(MD) No.15185 of 2023

V.Mahesh

... Petitioner

Vs.

1.The Commissioner of Police,
Madurai, Madurai District.

2.The Inspector of Police,
Thideer Nagar Police Station,
Madurai.

3.The Inspector of Police,
Central Crime Branch,
Madurai.

4.S.R.Thevar

5.Kesava @ Chandra

6.Munnusamy

7.Pallavi

...Respondents



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PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the second respondent to comply with the order in Cr.M.P.No.1383 of 2023, dated 24.04.2023, on the file of the learned Judicial Magistrate No.V, Madurai and consequently issue direction to transfer the investigation pending in D.No. 570 of 2020, dated 27.04.2023 to the third respondent or any other agency in accordance with as per the memorandum issued by the first respondent, dated 06.02.2015.

For Petitioner : Mr.B.Sargunam

For R-1 to R-3 : Mr.B.Thanga Aravindh,
Government Advocate(Criminal Side)

ORDER

This Criminal Original Petition is filed under Section 482 of Cr.P.C. seeking for a direction to the respondent Police to comply with the order in Cr.M.P.No.1383 of 2023, dated 24.04.2023, pending on the file of the learned Judicial Magistrate No.V, Madurai.

2. It is submitted by learned counsel for the petitioner that the petitioner has filed a complaint before the learned Judicial Magistrate under Section 200 Cr.P.C. and the learned Judicial Magistrate has referred the same to the concerned Police under Section 156 (3) Cr.P.C., and the respondent Police have not registered any FIR so far.



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3. Learned Government Advocate (Criminal Side) on the other hand submits that though they have received a direction from the learned Magistrate, since FIR required to be registered before the third respondent / Branch, no action has been taken so far. However, learned Government Advocate (Criminal Side) further submits that, within a week itself, FIR will be registered either by the third respondent or by the second respondent. The same is recorded

4. Considering the submissions made by both sides and on perusal of records, this petition is disposed of, directing the respondent Police to immediately comply the directions of the learned Judicial Magistrate and issue FIR accordingly.

30.08.2023

Speaking : Yes / No
NCC : Yes / No
Internet : Yes / No
Index : Yes / No

tsg



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DR.D.NAGARJUN. J.

tsg

To

- 1.The Commissioner of Police,
Madurai, Madurai District.
- 2.The Inspector of Police,
Thideer Nagar Police Station,
Madurai.
- 3.The Inspector of Police,
Central Crime Branch,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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