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CrI.O.P.(MD)No.21832 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.12.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

CrI.O.P.(MD) No.21832 of 2023

P.Ganesan

... Petitioner

Vs.

1.K.Pasanth

2.S.Subramaniyan

3.S.Esakki

4.S.Anandakumar

5.Thiruppathi

6.A.Perumal

...Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned Judicial Magistrate, Aalangulam, Tenkasi District and to take the Petitioners Private Complaint dated 05.05.2023 filed U/s 200 Cr.P.C against the respondents filed in CC.Sr.No.5337/2023 dated 05.05.2023 without putting unnecessary return on 08.08.2023 and to take file for enquiry.

For Petitioner : Mr.M.Saravanakumar



ORDER

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This Criminal Original Petition is filed to direct the learned Judicial Magistrate, Aalangulam, Tenkasi District, and to take the petitioner's private complaint, dated 05.05.2023 filed U/s 200 Cr.P.C against the respondents filed in CC.Sr.No.5337/2023 dated 05.05.2023 without putting unnecessary return on 08.08.2023 and to take file for enquiry.

2. Now the grievance of the petitioner is that the complaint filed by the petitioner has been repeatedly returned by the concerned trial Court on the administration side, stating one or other reasons. The said complaint is originally presented on 05.05.2023 and periodically it was returned as stated above. The second complaint was made on 12.06.2023 by the petitioner and the same was returned, stating that the previous directions are not complied with.

3. The complaint under Section 200 Cr.P.C, ought not to have been returned on the administrative side. If the trial Court wants any clarification from the complainant, they can very well get the same from the complainant, at that time of hearing the same. The repeated returns as stated above is not appreciated. On the sole ground, this petition is



allowed.

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4. There shall be direction to the learned Judicial Magistrate, Aalangulam, Tenkasi District, to process the above said complaint and proceed in accordance with law.

5. Registry is directed to return the original complaint to the petitioner to represent the same before the learned Judicial Magistrate, Aalangulam, Tenkasi District.

6. With the above said direction, this Criminal Original Petition is allowed.

05.12.2023

Index : Yes/No
Internet : Yes/No
Indu

To

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN. J.

Indu

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