



CrI.O.P.(MD)No.22613 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:15.12.2023

CORAM:

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

CrI.O.P.(MD) No.22613 of 2023

S.Lakshmanan

... Petitioner

Vs.

1.M.Babu

2.The Superintendent of Police,
District Crime Branch,
Ramanathapuram District.

3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.

... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to direct the learned District Munsif Cum Judicial Magistrate, Kamuthi, Ramanathapuram District, to take on file the complaint filed under section 156(3) r/w. 200 of Cr.P.C by the petitioner, dated 05.09.2023 in CrI.M.P.SR.No.5963 of 2023 and dispose the same in accordance with law within the time frame fixed by this Court.

For Petitioner : Mr.F.Deepak

For R2 & R3 : Mr.R.M.Anbunithi
Additional Public Prosecutor (CrI.side)



ORDER

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This Criminal Original Petition is filed to direct the learned District Munsif Cum Judicial Magistrate, Kamuthi, Ramanathapuram District, to take on file the complaint filed under section 156(3) r/w. 200 of Cr.P.C by the petitioner, dated 05.09.2023 in CrI.M.P.SR.No.5963 of 2023 and dispose the same in accordance with law within the time frame fixed by this Court.

2. The learned Additional Public Prosecutor would submit that the complaint under Section 156(3) of Cr.P.C., was present by the petitioner before the concerned trial Court on 05.08.2023 and it came to be returned on 09.08.2023, mentioning some defects to be rectified.

3. The learned counsel for the petitioner would submit that all the defects have been rectified and the same represented on 12.09.2023 before the concerned trial Court. But again, it came to be returned, stating that the earlier defects are not rectified. Aggrieved over the above said return, this petition has been filed.



4. No doubt that the return that was made by the concerned trial Court is perfectly legal and there is no irregularity. But the fact remains, after the representation, some relevant documents were also filed with evidence. But without noticing the above said rectification of the defects, it came to be returned, without properly scrutinizing the documents.

5. There shall be a direction to the learned District Munsif Cum Judicial Magistrate, Kamuthi, Ramanathapuram District, to entertain the above said application on the judicial side and complete the above process within a month from the date of receipt of copy of this order.

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

15.12.2023

Index : Yes/No

Internet : Yes/No

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G.ILANGOVAN. J.

Indu

To

- 1.The learned District Munsif Cum Judicial Magistrate,
Kamuthi, Ramanathapuram District.
- 2.The Superintendent of Police,
District Crime Branch,
Ramanathapuram District.
- 3.The Inspector of Police,
Kamuthi Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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