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CrI.O.P.No.8264 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:12.04.2024

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

CrI.O.P.No.8264 of 2024

D.Balasubramanian

.. Petitioner

/versus/

The Inspector of Police,
K9 Thiru-Vi-Ka Nagar Police Station,
Chennai 600 011.

.. Respondent

Criminal Original Petition has been filed under Section 482 of Cr.P.C., praying to direct the respondent, to register the First Information Report based on the complaint of the petitioner dated 12.04.2023 in obedience with the order of learned V Metropolitan Magistrate Court, Egmore, Chennai dated 10.11.2023 in CrI.M.P.No.41522 of 2023.

For Petitioner :Mr.G.Madhan Raj

For Respondent : Mr.K.M.D.Muhilan
Government Advocate (CrI.Side)



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ORDER

The petitioner herein is before this Court with a grievance that the order passed by the V Metropolitan Magistrate, Egmore, Chennai in Crl.M.P.No.41522 of 2023, dated 10.11.2023 was not acted upon by the respondent police. Hence, he seeks for a direction to act upon the order passed by the learned V Metropolitan Magistrate, Egmore, Chennai under Section 156 (3) Cr.P.C .

2. The learned Government Advocate (Crl.Side) States that on receipt of the order passed by the V Metropolitan Magistrate in Crl.M.P.No.41522 of 2023, the defacto complainant, who is the wife of the this petitioner was summoned, appeared and participated in the enquiry. Since the petitioner has not attended the enquiry, the respondent police are not able to proceed with the investigation.

3. The learned counsel appearing for the petitioner states that since the petitioner was hospitalized, he was not able to participate in the enquiry and he will be able to attend the enquiry on 22.04.2024 and produce all the evidence to substantial the complaint.



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4. In the light of the above fact, this Criminal Original Petition is disposed of with a direction to the respondent police to complete the investigation and file a final report before the concerned Judicial Magistrate, as per the direction of V Metropolitan Magistrate, Egmore, Chennai.

12.04.2024

Index:yes/no

Neutral Citation:yes/no

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To:

1. V Metropolitan Magistrate Court, Egmore, Chennai.

2.The Inspector of Police,K9 Thiru-Vi-Ka Nagar Police Station,
Chennai 600 011.



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DR.G.JAYACHANDRAN,J.

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