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Crl.OP.No.14598 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.No.14598 of 2024

Joseph Magimaidoss

... Petitioner

Vs.

State by

1. The Inspector of Police,
E-9, Thazhambur Police Station,
Thazhambur,
Chengalpattu District.

2. Krishnan

3. Gunasekaran

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to set aside the return docket order made in Crl.MP.No.327 of 2023 dated 26.04.2024 on the file of the learned District Munsif-Cum-Judicial Magistrate, Thiruporur, Chengalpattu District.

For Petitioner : Ms.R.Hemalatha

For Respondents : Mr.K.M.D.Muhilan,
Government Advocate (Crl.Side)
for R1



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ORDER

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2. The learned counsel appearing for the petitioner submitted that the accused is now residing within jurisdiction of the Judicial Magistrate, Thiruporur and therefore, the complaint is maintainable.

3. Per contra, the learned Government Advocate (Crl.Side) appearing for the respondent police on instructions from the Investigating Officer states that the reading of the complaint indicates that the cause of action and scene of crime falls within the territorial jurisdiction of Medavakkam Police Station. The petitioner herein has not given any complaint to the Medavakkam Police Station and the private complaint under Section 156(3) also not filed within the territorial jurisdiction of Alandhur Court. Hence, the memo returning the complaint is well within law.



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4. On perusal of the record, this record finds that the petition filed in wrong Court which does not have territorial jurisdiction been rightly returned. Hence, the remedy for the petitioner is to seek recourse before the proper jurisdictional police/Judicial Magistrate.

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

24.06.2024

Vv

To

1. The District Munsif-Cum-Judicial Magistrate,
Thiruporur, Chengalpattu District.
2. The Inspector of Police,
E-9, Thazhambur Police Station,
Thazhambur,
Chengalpattu District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

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