



Crl.O.P.No.13920 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.13920 of 2024

Manoharan

... Petitioner

Vs.

Inspector of Police
CBCID Police Station,
Perambalur
Perambalur District.

... Respondent

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to direct the respondent police to register the FIR, in the light of the order passed by the Chief Judicial Magistrate-cum-Special Judge, CBCID cases, Perambalur District, Perambalur in Crl.MP.No.300 of 2024 dated 05.04.2024 in accordance with law.

For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.S.Udaya Kumar
Government Advocate (Crl.Side)

ORDER

This petition is filed by the complainant, being aggrieved by the in action of the respondent police namely, Inspector of Police, CBCID, Perambalur, who are not proceeding with preliminary enquiry as directed



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by the Chief Judicial Magistrate-cum-Special Judge, Perambalur, in its order dated 05.04.2024 in Crl.MP.No.300 of 2024 .

2. Learned Government Advocate (Crl.Side), on instructions, submits that pursuant to the CBCID manual and the judgment of this court, Magistrate cannot direct CBCID to register complaint and investigate. Following the manual and the judgment of this court rendered in Crl.OP.No.9542 of 2015, State has preferred a revision before the Principal District Judge, Perambalur and the same is pending in Crl.RC.No.4 of 2024.

3. In the light of the above submission, this petition seeking direction to CBCID to register the FIR as per the order of the Chief Judicial Magistrate, Perambalur, which is now the subject matter of the Criminal Revision Petition before the Principal District Court, cannot be entertained by High Court. It is open to the petitioner herein to participate in the proceedings pending before the Principal Judge in Crl.RC.No.4 of 2024 and seek appropriate remedy.

4. With the above observation, this Criminal Original Petition is



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disposed of.

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Index : Yes/No

Neutral Citation : Yes/No

gv

To

- 1.The Inspector of Police
CBCID Police Station,
Perambalur
Perambalur District.
2. The Chief Judicial Magistrate-cum-Special Judge,
CBCID cases, Perambalur District,
Perambalur
- 3.The Public Prosecutor,
High Court of Madras, Chennai.



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Dr.G.JAYACHANDRAN,J.

gv

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