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CrI.O.P.No.16093 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

CrI.O.P.No.16093 of 2024

Kandasamy

... Petitioner

Vs.

1.The State Rep.by
The Inspector of Police,
Elachipalayam Police Station,
Namakkal District.

2.The Superintendent of Police,
Namakkal District,
Namakkal.

3.Rangasamy
4.Pavalaie
5.Sengotuvelan
6.Sumati
7.Gunasekarean
8.Deepa

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to set aside the preliminary report dated 19.03.2024 submitted by the 1st respondent before the learned Judicial Magistrate, Thiruchengodu and direct the 1st respondent to conduct fresh enquiry on the basis of the order passed in C.M.P.No.61 of 2024 dated 27.02.2024 on the file of the Judicial Magistrate, Thiruchengode.

For Petitioner : Mr.T.Muruganantham

For R1 & R2 : Mr.K.M.D.Muhilan



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Government Advocate (CrI.Side)

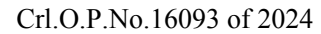
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ORDER

This Criminal Original Petition is filed seeking direction to set aside the preliminary report dated 19.03.2024 submitted by the 1st respondent before the Judicial Magistrate, Thiruchengode. Alleging that the police has not taken action on the complaint regarding pathway dispute, this petitioner has filed complaint under Section 156(3) of Cr.P.C., before the Judicial Magistrate, Thiruchengode.

2. The Judicial Magistrate having observed the complaint after one year, directed the police to enquire and submit preliminary report. Accordingly, the police has filed report stating that enquiry reveals that the petitioner making attempt to give a criminal colour to the case which is civil in nature. The present petition is filed to set aside the said preliminary report.

3. This Court finds that the petition is not maintainable since the Magistrate has sought for preliminary report and the same has been filed before the Magistrate on completion of enquiry. If the petitioner is aggrieved, he has to proceed further in accordance with law. In the order



indicated by the learned Judicial Magistrate in paragraph 2 as :-

L.W.499."

dismissed.

09.07.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1. The Judicial Magistrate, Thiruchengode.

2.The Inspector of Police,

Elachipalayam Police Station,

Namakkal District.

Dr.G.JAYACHANDRAN,J.

rpl



Crl.O.P.No.16093 of 2024

3.The Superintendent of Police,
Namakkal District,
Namakkal.

4.The Public Prosecutor,
High Court of Madras,
Chennai.

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