



Crl.O.P.No.17512 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2024

CORAM

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

Crl.O.P.No.17512 of 2024

R.Baburajan

... Petitioner

Vs.

1.The Inspector of Police,
Vellore Taluk Police Station,
Kaniyambadi,
Vellore-632 102.

2.The Superintendent of Police,
District Police Office,
Sathuvachari,
Vellore District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to direct the learned Judicial Magistrate No.1, Vellore to dispose the proceedings in Crl.M.P.No.8942 of 2022 within the stipulated period of time on merits.

For Petitioner : Mr.G.Vairavasubramanian

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

ORDER

The petitioner being aggrieved by illegal mining of sand from her patta land had given a complaint to the police. Since the police has not



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acted upon the complaint, made representation to the higher officials.

Even then, there was no action, therefore, she had approached the Judicial Magistrate invoking Section 156(3) Cr.P.C., for taking cognizance of the complaint against one Rajendran.

2. The grievance of the petitioner is that despite the application under Section 156(3) Cr.P.C., taken on file in the year 2022 and numbered as Crl.M.P.No.8942 of 2022, till date, the Judicial Magistrate has not passed order and the matter is still pending under the caption for enquiry.

3. From the status report of the case, this Court finds that the petitioner's side enquiry is pending. Further reveals that the original complainant Vimala died and therefore, her husband Baburajan has filed application in Crl.M.P.No.1451 of 2024 to implead him as a petitioner and the same is pending, which is one of the cause for delay.

4. In the light of the above fact, this Criminal Original Petition is disposed of with direction to the Judicial Magistrate to consider the



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application filed under Section 156(3) of Cr.P.C., and the implead
petition as expeditiously as possible and pass orders in accordance with
law preferably within a period of four months from today.

29.07.2024

Index : Yes/No

Neutral Citation : Yes/No

rpl

To

1.The Superintendent of Police,
District Police Office,
Sathuvachari,
Vellore District.

2.The Inspector of Police,
Vellore Taluk Police Station,
Kaniyambadi,
Vellore-632 102.

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



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Dr.G.JAYACHANDRAN,J.

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