



WEB COPY



CrI.O.P.No.20609 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2024

CORAM

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

CrI.O.P.No.20609 of 2024

Vasudevan

... Petitioner

Vs.

1.The Commissioner of Police,
Avadi Commissionerate,
Chennai-600 054.

2.The Deputy Commissioner of Police,
Deputy Commissioner office, Madhavaram,
Chennai.

3.The Inspector of Police,
Milk Colony Police Station, Madhavaram,
Chennai.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of BNSS Act, pleaded to direct the respondent to conduct further investigation and to include all the offence committed by the accused based on the petitioner's complaint letter dated 07.08.2024 in connection with the Crime No.407 of 2022.

For Petitioner : Mr.R.Mukesh Kannah

For Respondents : Mr.S.Udayakumar
Government Advocate (CrI.Side)



Crl.O.P.No.20609 of 2024

ORDER

This Criminal Original Petition is filed alleging that the respondent police has not properly investigating his complaint dated 11.03.2022, the present petition is filed for further investigation.

2. The content of the complaint indicates that the petitioner is the husband of the 1st accused Shanthi. According to the complainant, on 10.03.2022, Shanthi, his first wife and daughters had gone to the house where the petitioner living with his second wife and took away his chain, Mobile phone and Rs.6,000/-, hence the respondent police has registered the FIR in Crime No.407 of 2022 for the offences under Sections 448, 294(b), 324 & 506(ii) IPC. The petitioner is alleging that the respondent police should have registered the case under Section 392 IPC for robbery.

3. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that on completion of investigation final report filed on 22.06.2024 for the offences under Sections 324, 406 & 506(i) IPC.

4. Since no incriminating material gathered during investigation regarding theft or extortion of jewel and money, this Court



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finds no merit in the petition for further investigation since the complaint regarding robbery on the face of it is not made out and no ingredient to attract either Section 379 IPC or 392 IPC found in the complaint. Hence this Criminal Original Petition is dismissed.

27.08.2024

Neutral Citation : Yes/No
rpl

To

1.The Commissioner of Police,
Avadi Commissionerate,
Chennai-600 054.

2.The Deputy Commissioner of Police,
Deputy Commissioner office, Madhavaram,
Chennai.

3.The Inspector of Police,
Milk Colony Police Station, Madhavaram,
Chennai.

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

Dr.G.JAYACHANDRAN,J.

rpl



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