



Crl.O.P.No.24984 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 06.11.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.No.24984 of 2024

Mr.B.Madhan Babu

.. Petitioner

Vs.

The State represented by
The Inspector of Police
V-3 J.J.Nagar Police Station,
Chennai-600 037.

.. Respondent

Criminal Original Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, to direct the respondent-Police to comply with the order passed by the Judicial Magistrate, Ambattur in Crl.M.P.No.86 of 2023, dated 01.02.2023 within a stipulated period.

For petitioner : Mr.A.Vijayakannan

For respondent: Mr.S.Vinoth Kumar, Govt. Advocate (Crl. Side)

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ORDER

The petitioner has filed this petition to direct the respondent-Police to comply with the order dated 01.02.2023, passed by the Judicial Magistrate, Ambattur in Crl.M.P.No.86 of 2023, within a stipulated period.

2. Though it is seen from the records that the petitioner had approached the Magistrate to register the case by the respondent, while the Magistrate has passed the order on 01.02.2023, the respondent did not register the case, and therefore, the petitioner has approached this Court by invoking Section 528 of the BNSS.

3. When this petition is taken up for hearing, learned Government Advocate (Crl. Side) submitted that the FIR has been registered in Crime No.733 of 2024 and on a perusal of the FIR, which was registered on 05.01.2024, in the said crime number, it is shocked and surprised to know that even after passing of the order by registering the FIR in the month of February 2023, whereas, the FIR is said to have been registered only on 05.11.2024 after 19 months. The attitude of the respondents is highly deprecated and since the FIR had been registered, the relief sought for in this petition has become infructuous. However, the Commissioner of Police, Chennai City is directed to take action against the investigating officer and those who are all holding the post between

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01.02.2023 till 04.11.2024 and call for the explanation from them as to why they have not complied with the order of the Magistrate and after receiving the explanation, take further action against them and file action taken report/compliance report within two months' time.

4. With the above observations, this petition is disposed of.

06.11.2024

CS

To

1. The Inspector of Police
V-3 J.J.Nagar Police Station,
Chennai-600 037.
2. The Public Prosecutor, High Court, Madras.

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