



CrI.O.P.No.22886 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.22886 of 2024 and

CrI.M.P.No.13946 of 2024

Sathish Kumar

... Petitioner

Vs.

1. The Commissioner of Police
Tambaram

2. The Inspector of Police
Central Crime Branch, Team-IV
Tambaram

3. Kotam Reddy Vijayakumar Reddy
(R3 Impleaded as per order dated 21.11.2024
in CrI.M.P.No.16341/2024 in CrI.O.P.No.22886/2024)

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to direct the respondents police to register FIR based on the petitioner's complaint dated 16.11.2023 pursuant to the order dated 01.08.2024 passed in CrI.M.P.No.2537 of 2024 by the Magistrate No.II, Chengalpattu and investigate the matter in accordance with law.



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For Petitioner : Mr.D.Selvam
For Respondents 1 and 2 : Mr.S.Sugendran
Additional Public Prosecutor
For 3rd Respondent : Mr.K.Murugan

ORDER

This Criminal Original Petition is filed to direct the respondents police to register FIR based on the petitioner's complaint dated 16.11.2023 pursuant to the order dated 01.08.2024 passed in CrI.M.P.No.2537 of 2024 by the Judicial Magistrate No.II, Chengalpattu and investigate the matter in accordance with law.

2. The learned Counsel for the petitioner would submit that the petitioner had lodged a complaint before the respondents police on 16.11.2023 and since the same was not registered, the petitioner filed a petition in CrI.M.P.No.2537 of 2024 under Section 156(3) CrI.P.C. before the learned Judicial Magistrate No.II, Chengalpattu, seeking direction to the respondent police to register FIR against the accused person and the learned Magistrate by order dated



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01.08.2024, directed the respondent police to investigate the case and to proceed further. So far, the respondent police have not complied with the order of the Magistrate. Hence, the present petition is filed.

3. The learned Additional Public Prosecutor appearing for the respondent police submitted that one Nagooran who is the vendor of the petitioner and who is alleged to have been impersonated, had filed a petition before this in CrI.O.P.No.26423 of 2024 seeking direction that the respondent police should not harass him under the guise of enquiry on the complaint given by the petitioner herein, in which, this Court by order dated 24.10.2024, directed the said Nagooran to appear before the Investigating Officer by 28.10.2024 and to give finger prints to the police to investigate the matter. Accordingly, the respondent police obtained related documents and also the finger prints of the said Nagooran and sent the same to Forensic Department. Now, the Forensic Report has been received and based on the report, the respondent police would proceed further.



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4. Since already there is a direction by this Court and the respondent police are also taking steps to comply with same, this Criminal Original Petition is dismissed. The respondents police are directed to take action in accordance with law.

5. Since this petition is dismissed, the connected Miscellaneous Petition filed to implead the petitioner therein as proposed respondent, is also dismissed.

10.12.2024

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No
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To

1. The Commissioner of Police, Tambaram
2. The Inspector of Police
Central Crime Branch, Team-IV, Tambaram
3. The Public Prosecutor
High Court of Madras

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P.VELMURUGAN. J.

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