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Crl.OP.No.23296 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Criminal Original Petition No.23296 of 2024

Loganathan

... Petitioner

Vs.

1. The Inspector of Police,
J-1, Saidapet Police Station,
Saidapet, Chennai 600 015.

*2. Mr.Muhammad Mujeebur Rahman

... Respondents

[*R2 Impleaded as per order dated 22.10.2024
in Crl. MP No.13660/24 in Crl OP No.23296/24]

Prayer: Criminal Original Petition is filed under Section 482 of Cr. P.C. & Section 528 of BNSS, praying to direct the respondent Police to comply with the order of the learned Metropolitan Magistrate, Saidapet dated 22.07.2024 passed in Crl MP No.12621/2024 and to register a FIR.

For Petitioner : Mr.Sam Jayaraj Houston
for Mr. M.Atchaya

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

Mr.V.V.Sairam, for R2



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ORDER

The petition is filed seeking direction to the respondent Police to comply with the order of the learned Metropolitan Magistrate, Saidapet dated 22.07.2024. The order referred is regarding direction to the Inspector of Police to conduct the preliminary enquiry, on the complaint given by the petitioner and if any cognizable offence is made out, register the FIR and investigate the case in accordance with law. If no cognizable offence is made out, the I.O. was directed to submit a detailed report before the Court within 30 days from the date of order.

2. The learned Government Advocate (Crl. Side) submits that on completion of investigation, Negative Report been filed before the learned Metropolitan Magistrate on 23.09.2024.

3. The learned counsel appearing for the petitioner submits that without causing notice to enquiry, the respondent Police has filed the negative report. The direction of the learned Metropolitan Magistrate has not been complied with letter and spirit.



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4. Considering the submissions and the fact that the order of the learned Magistrate has been complied by filing report on 23.09.2024, the petitioner herein is permitted to file a protest petition against the negative report and on receipt of the protest petition, the learned Metropolitan Magistrate shall proceed in accordance with law based on the materials placed by the complainant/ petitioner.

5. With the above direction, this Criminal Original Petition is disposed of.

22.10.2024

Index: Yes/No

Internet: Yes/No

jv

To

1. The Metropolitan Magistrate,
Saidapet.
2. The Inspector of Police,
J-1, Saidapet Police Station,
Saidapet, Chennai 600 015.
3. The Public Prosecutor,



Madras High Court,
Chennai 600 104.

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Dr.G.JAYACHANDRAN,J.

jv

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