



CrI.O.P.No.27655 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.27655 of 2024

Victor Mosses Paul

... Petitioner

Vs.

1. The State rep.by
The Superintendent of Police,
Chengalpattu District.
2. The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS, to direct the second respondent herein to register the petitioner's complaint dated 16.09.2023 in view of the order dated 05.06.2024 passed by the learned Judicial Magistrate No.II, Chengalpattu in CrI.M.P.No.1787 of 2024.

For Petitioners : Mr.G.Magesh Kumar

For Respondents : Mr.S.Sugendran
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to direct the second respondent herein to register the petitioner's complaint dated 16.09.2023 in view of the order dated 05.06.2024 passed by the learned Judicial Magistrate No.II, Chengalpattu in CrI.M.P.No.1787 of 2024.

2. Though the learned Judicial Magistrate No.II, Chengalpattu vide order dated 05.06.2024 in CrI.M.P.No.1787 of 2024 directed the respondents/Police to register the petitioner's complaint dated 16.09.2023, the respondents/Police have not registered the case the petitioner was forced to approach this Court by invoking Section 528 BNSS, 2023.

3. When the matter is taken up for hearing the learned Additional Public Prosecutor appearing for the respondents/Police states that an FIR has already been registered in Crime No.716 of 2024.

4. On a perusal of the records, it is seen that F.I.R was registered only on 04.11.2024 after filing of the present petition. This type of attitude of the respondents/Police is highly deprecated. Even after giving



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direction by the Magistrate Court concerned, the respondents/Police are prolonging and protracting to register F.I.R and made the petitioner to run pillar to post or one Court to another Court. As F.I.R has been registered pending this petition, the relief sought for in this petition has become infructuous.

5. In view of the above, this Criminal Original Petition is dismissed as having become infructuous. However, the respondents/Police are directed to expedite the investigation and file final report within a period of three months from the date of receipt of a copy of this order.

05.11.2024

Index : Yes/No
Neutral Citation : Yes/No
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To

1. The Superintendent of Police,
Chengalpattu District.
2. The Inspector of Police,
Chengalpattu Taluk Police Station,
Chengalpattu District.
3. The Public Prosecutor,
High Court, Madras.



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P.VELMURUGAN, J

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