



CrI.O.P.No.27930 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.11.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CrI.O.P.No.27930 of 2024

V.N.Ashok Kumar

... Petitioner

Vs.

1.The Superintendent of Police,
District Police Headquarters,
Krishnagiri - 635 115.

2.The Deputy Superintendent of Police,
Hosur, Krishnagiri District.

3.Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.

... Respondents

Prayer: Criminal Original Petition is filed under Section 528 BNSS Act, to direct the the first respondent to comply with the order in CrI.O.P.No.24673 of 2023 and consequently to transfer the investigation of the petitioner's case to any other independent agency.

For Petitioner : Mr.V.K.Sathiamurthy

For Respondents : Mr.S.Vinoth Kumar
Government Advocate (Criminal Side)



Crl.O.P.No.27930 of 2024

ORDER

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The petitioner has filed this petition seeking a direction to the first respondent to comply with the order in Crl.O.P.No.24673 of 2023 and to transfer the investigation of the petitioner's case to an independent agency.

2. The learned counsel for the petitioner submits that earlier, the petitioner had filed Crl.O.P.No.24673 of 2023, seeking the registration of an FIR against the accused persons. This Court, by an order dated 30.10.2023, directed the respondent police to complete the investigation and submit a report to the learned Judicial Magistrate No.II, Hosur, who had ordered an enquiry based on the petitioner's complaint. However, the respondent police have failed to register the case, investigate the matter, or file a charge sheet. He would further submit that the petitioner also filed Crl.M.P.No.3731 of 2023 seeking a copy of the final report from the learned Judicial Magistrate-II, Hosur, but the same was returned with an endorsement stating that no such report had been received from the respondent-police.

3. Mr.S.Vinoth Kumar, learned Government Advocate (Criminal Side), on instructions, submits that the petitioner did not directly file a complaint, but the Power of Attorney holder submitted the complaint. After conducting a preliminary enquiry, the respondent-police found that no case was made out and, therefore, closed the enquiry. The same was communicated to the petitioner.



CrI.O.P.No.27930 of 2024

4. In light of the above, since the petitioner has been informed of the outcome of the enquiry, the petitioner must seek appropriate remedies in the manner known to law, such as filing a protest petition before the learned Judicial Magistrate or availing other legal recourse.

5. With the above direction, the criminal original petition is disposed of.

12.11.2024

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

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CrI.O.P.No.27930 of 2024

P.VELMURUGAN, J

r n s

To

- 1.The Superintendent of Police,
District Police Headquarters,
Krishnagiri - 635 115.
- 2.The Deputy Superintendent of Police,
Hosur, Krishnagiri District.
- 3.Inspector of Police,
Mathigiri Police Station,
Krishnagiri District.
4. The Public Prosecutor,
High Court, Madras.

CrI.O.P.No.27930 of 2024

12.11.2024