



Crl.O.P.(MD)No.2157 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 13.02.2024

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Crl.O.P.(MD)No.2157 of 2024

Udayasandhiya

...Petitioner

Vs.

The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanniyakumari District.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, praying to direct the first Respondent to comply with the direction issued by the District Munsif Cum Judicial Magistrate Court, Boothapandi under Section 156(3) of Cr.P.C., in Crl.M.P.No.1346 of 2023, dated 27.07.2023 and to register the First Information Report in light of the order passed by the Hon'ble Madras High Court in Sugesan Transport Pvt. Ltd. V.Assistant Commissioner of Police and Anr, 2016 SCC Online Mad 9348.



WEB COPY



CrI.O.P.(MD)No.2157 of 2024

For Petitioner : Mr.G.Anto Prince

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor

ORDER

The learned Counsel for the Petitioner submitted that the Petitioner had filed this petitioner seeking direction against the Respondent Police to comply with the direction issued by the learned District Munsif cum Judicial Magistrate, Bhoothapandi..

2. The learned Counsel for the Petitioner further submitted that the Petitioner had already given a complaint with the Respondent Police for which the Respondent Police had not registered a case. Therefore, the Petitioner was forced to file a miscellaneous petition is CrI.M.P.(MD)No. 1346 of 2023 under Section 156 (3) Cr.P.C. before the learned District Munsif cum Judicial Magistrate, Bhoothapandi. After due enquiry, the learned learned District Munsif cum Judicial Magistrate, Bhoothapandi. passed order in Cr.M.P.(MD)No.1346 of 2023 dated 27.07.2023. In spite of the order passed by the learned learned District Munsif cum Judicial Magistrate, Bhoothapandi. on 27.07.2023, the Respondent Police had not



Crl.O.P.(MD)No.2157 of 2024

acted on the direction of the learned District Munsif cum Judicial Magistrate, Bhoothapandi.. Therefore, the Petitioner had filed this petitioner seeking direction against the Respondent Police to comply with the direction issued by the learned District Munsif cum Judicial Magistrate, Bhoothapandi..

3. The learned Additional Public Prosecutor on instructions from the Respondent Police submitted that after receipt of the order in Cr.M.P.(MD)No.1346 of 2023, the Respondent Police had sent three summons to the Petitioner. The Petitioner had not appeared before the Respondent Police. From the enquiry, the Respondent Police understood that the Petitioner herein is residing at Chennai. Therefore, the Respondent Police is unable to proceed with the direction issued by the learned District Munsif cum Judicial Magistrate, Bhoothapandi..

4. Recording the submission of the learned Counsel for the Petitioner and the learned Additional Public Prosecutor, the Petitioner is directed to appear before the Respondent Police to record the statement of the Petitioner. On such appearance, the Respondent Police is directed to act as per the direction of the learned District Munsif cum Judicial Magistrate, Bhoothapandi, within a period of two weeks from the date of receipt of a



Crl.O.P.(MD)No.2157 of 2024

copy of this order or from the date of uploading the order on the website of
this Court.

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

13.02.2024

Index : Yes/No

Internet: Yes/No

jbr

To

1. The Inspector of Police,
All Women Police Station,
Nagercoil,
Kanniyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.O.P.(MD)No.2157 of 2024

SATHI KUMAR SUKUMARA KURUP, J.,

jbr

Crl.O.P.(MD)No.2157 of 2024

13.02.2024