



CrI.O.P.(MD)No.8419 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 15.07.2024

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

CrI.O.P.(MD)No.8419 of 2024

Fr.Antony Xavier

... Petitioner

Vs

1. The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.

2. Sivaramakrishnan

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to pass an order to comply with the order passed by the learned Judicial Magistrate, Tenkasi in Cr.M.P.No.6376 of 2019 dated 16.08.2023 and consequently, direct the 1st respondent to register a case on the complaint of the petitioner dated 28.07.2023

For Petitioners

: Mr.Sivakumar.S

For R1

: Mr.M.Sakthi Kumar
Government Advocate(Crl.side)



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ORDER

This Criminal Original Petition has been filed seeking a direction to the respondent police to take action on the complaint of the petitioner based on the order passed by the learned Judicial Magistrate, Tenkasi in Cr.M.P.No. 6376 of 2019 dated 16.08.2023.

2. The learned Counsel for the petitioner submits that though learned Judicial Magistrate, Tenkasi, has forwarded the complaint to the respondent police under Section 156(3) of Cr.P.C, the respondent police has not registered the complaint.

3. The learned Government Advocate (CrI. Side) on instruction from the respondent police submits that even before lodging a complaint before the learned Judicial Magistrate, Tenkasi, the petitioner has lodged a complaint before the respondent police on 07.06.2023, as if on 06.06.2023, at about 02.00 p.m., one Sivaramakrishnan/2nd respondent trespassed into the school premises through his car and assaulted him and demanded for money. Based on the complaint of the petitioner, the respondent police has conducted a petition enquiry in CSR No.604 of 2023 and the respondent police has collected the CCTV footage from the school. After conducting an enquiry,



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the respondent police has found that the petitioner is used to engage the second respondent for his works in his school and the petitioner has to pay some amount due to the work executed by the second respondent. Further, he submits that on the date of occurrence, the second respondent met the petitioner at his school and demanded money from him. Since the petitioner's complaint is a false one, the respondent police has dropped the further action. Thereafter, the petitioner herein suppressing the same has filed this application before the learned Judicial Magistrate, Tenkasi, in CR.M.P.No. 6376 of 20219 under Section 156(3) Cr.P.C and the same was forwarded by the learned Judicial Magistrate to the respondent police on 16.08.2023. The respondent police has also conducted an enquiry and submitted a report before the learned Judicial Magistrate, Tenkasi, on 25.08.2023.

4. Considering the submission of the learned Government Advocate (CrI. Side), this Criminal Original Petition is closed with liberty to the petitioner to workout his remedy in the manner known to law.

15.07.2024

NCC : Yes/No

Index : Yes/No

Internet:Yes

<https://www.mhc.tn.gov.in/judis>



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To

1. The Inspector of Police,
Pavoorchatram Police Station,
Tenkasi District.

2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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.PUGALENDHI,J

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