



Crl.O.P.(MD)No.14129 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.14129 of 2024

S.Dhanalskhmi

... Petitioner

Vs.

1.The Superintendent of Police,
Thanjavur District,
Thanjavur.

2.The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent herein to register the case in compliance with the order passed in Crl.M.P.No.3660 of 2023 dated 11.12.2023 by the learned Judicial Magistrate, Pattukottai, Thanjavur District within the time stipulated by this Court.

For Petitioner : Mr.B.Jameelarasu

For Respondents : Mr.E.Antony Sahaya Prabahar
Additional Government Pleader



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ORDER

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The Criminal Original Petition has been filed seeking orders to direct the second respondent to register the case in compliance with the order passed in Crl.M.P.No.3660 of 2023 dated 11.12.2023 by the learned Judicial Magistrate, Pattukottai, Thanjavur District within the time stipulated by this Court.

2. The learned Additional Public Prosecutor appearing for the respondents would submit that for the same incident, FIR came to be registered in Crime No.39 of 2023 for the offence under Section 174 Cr.P.C. as early as on 26.06.2023 and that subsequently the first respondent has transferred the case to Pattukottai Police Station/second respondent and FIR came to be registered in Crime No.595 of 2023 and is pending for investigation.

3. As rightly contended by the learned Additional Public Prosecutor, the petitioner, by suppressing the registration of FIR, has filed a petition under Section 156(3) Cr.P.C. and the learned Magistrate believing the words of the petitioner, has directed the Inspector of Police, Pattukottai Police Station to file FIR and expedite enquiry based on the



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complaint given by the complainant and complete the same within a period of 1 month from the date of receipt of copy of that order and during the course of enquiry, if any cognizable offence is made out, the Inspector of Police shall take action in accordance with law and in case of closure of the complaint, a copy of the closure report shall be furnished to the petitioner within a week of such closure.

4. Since FIR came to be registered already, the question of complying with the order of the learned Magistrate does not arise at all.

5. At this juncture, the learned counsel appearing for the petitioner would submit that the petitioner has already filed a petition seeking transfer of investigation and is pending in Crl.O.P.(MD)No.3556 of 2024. It is clarified that the observation made in this order will not affect the transfer petition.

6. In the result, this Criminal Original Petition stands disposed of.

28.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

csn

To

- 1.The Superintendent of Police,
Thanjavur District,
Thanjavur.
- 2.The Inspector of Police,
Pattukottai Town Police Station,
Thanjavur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.14129 of 2024

Dated: 28.08.2024