



Crl.O.P.(MD)No.16690 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16690 of 2024

R.Martin

... Petitioner

Vs.

- 1.State rep. through
The Superintendent of Police,
O/o.the Superintendent of Police,
Ramanathapuram District-623504.
- 2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Rameshwaram Sub Division,
Rameshwaram,
Ramanathapuram District-623526.
- 3.The Inspector of Police,
C-6, Mandapam Police Station,
Mandapam,
Ramanathapuram District-623518.
- 4.The Inspector of Police,
District Crime Branch,
District Collectorate,
Ramanathapuram District.



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5.K.Ilayaraja

... Respondents

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PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the fourth respondent to implement the order passed by the learned Judicial Magistrate II, Ramanathapuram in Crl.M.P.No.1123 of 2024 dated 05.04.2024 to register the case upon the complaint given by the petitioner dated 07.01.2024.

For Petitioner : Mr.R.Prabhakaran

For R1 to R4 : Mr.E.Antony Sahaya Prabakar
Additional Public Prosecutor

ORDER

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders to direct the fourth respondent to implement the order passed by the learned Judicial Magistrate No.II, Ramanathapuram in Crl.M.P.No.1123 of 2024 dated 05.04.2024 to register the case upon the complaint given by the petitioner dated 07.01.2024.

2. It is evident from the records that the learned Magistrate, in the petition filed under Section 156(3) Cr.P.C., has passed an order dated 05.04.2024 directing the Inspector of Police, District Crime Branch to



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conduct a preliminary enquiry and if the preliminary enquiry discloses the commission of cognizable offence, to register an FIR and file a report within 14 days from the date of receipt of that order and if it discloses the commission of non cognizable offence, then file a closure report.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the respondents 1 to 4 would submit that in pursuance of the said direction, the fourth respondent has conducted enquiry and submitted a report on 24.05.2024 and he has also produced the copy of the report. Since the fourth respondent has complied with the direction of the learned Magistrate, the petitioner is at liberty to work out his remedy before the jurisdictional Magistrate Court.

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

01.10.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



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- To
- 1.The Superintendent of Police,
O/o.the Superintendent of Police,
Ramanathapuram District-623504.
 - 2.The Deputy Superintendent of Police,
O/o. the Deputy Superintendent of Police,
Rameshwaram Sub Division,
Rameshwaram,
Ramanathapuram District-623526.
 - 3.The Inspector of Police,
C-6, Mandapam Police Station,
Mandapam,
Ramanathapuram District-623518.
 - 4.The Inspector of Police,
District Crime Branch,
District Collectorate,
Ramanathapuram District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.16690 of 2024

Dated: 01.10.2024