



Crl.O.P.(MD)No.16367 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.16367 of 2024

K.Muthu

... Petitioner

Vs.

1.The Superintendent of Police,
Tenkasi District.

2.The Inspector of Police,
Karivalamvanthanallur Police Station,
Sankarankovil Road,
Tenkasi District.

... Respondents

PRAYER : Criminal Original Petition filed under Section 528 of BNSS, to direct the second respondent to comply with the order passed in Cr.M.P.No.1631 of 2022, dated 10.11.2022 on the file of the learned Judicial Magistrate Court, Sankarankovil to register the FIR against the accused based on the petitioner's complaint within the time stipulated by this Court.

For Petitioner : Mr.J.Thomas Raja Durai,

For Respondents : Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor.



Crl.O.P.(MD)No.16367 of 2024

ORDER

WEB COPY

The Criminal Original Petition has been filed, invoking Section 528 B.N.S.S., seeking orders, to direct the second respondent to comply with the order passed in Cr.M.P.No.1631 of 2022, dated 10.11.2022 on the file of the learned Judicial Magistrate Court, Sankarankovil to register the FIR against the accused based on the petitioner's complaint within the time stipulated by this Court.

2. It is seen from the records that though the learned Judicial Magistrate has passed an order in Cr.M.P.No.1631 of 2022, dated 10.11.2022, directing the Station House Officer to conduct a detailed enquiry and submit a report within 30 days.

3. When the matter is taken up for hearing today, the learned Additional Public Prosecutor appearing for the State would submit that the earlier investigating officer has not taken any steps and the present Investigating Officer has conducted enquiry and prepared a report and is going to file the report before the concerned Court shortly.



Crl.O.P.(MD)No.16367 of 2024

WEB COPY

4. He would further submit that the civil suit is pending with regard to the partition of the properties, that the money transactions were occurred ten years back and that the parties can be directed to approach the civil Court and after getting opinion from the learned Additional Public Prosecutor, they have closed the petition and he has also produced the copy of the report submitted by the Investigating Officer.

5. Recording the same, the Criminal Original Petition is disposed of. The second respondent is directed to file the report immediately before the concerned Court, after serving the copies to the petitioner. The petitioner is at liberty to take appropriate proceedings in accordance with law.

27.09.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das



Crl.O.P.(MD)No.16367 of 2024

K.MURALI SHANKAR,J.

DAS

To

- 1.The Judicial Magistrate Court,
Sankarankovil.
- 2.The Superintendent of Police,
Tenkasi District.
- 3.The Inspector of Police,
Karivalamvanthanallur Police Station,
Sankarankovil Road,
Tenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.O.P.(MD)No.16367 of 2024

Dated: 27.09.2024