



Crl.O.P.(MD)No.23401 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.(MD)No.23401 of 2023

R.C.Praveena

... Petitioner/Defacto Complainant

Vs.

1.The State Rep. Through
The Inspector of Police,
AWPS-Marthandam,
Kanyakumari District.

...1st Respondent/Complainant

2.The Sub-Inspector of Police,
AWPS-Marthandam,
Kanyakumari District.

3.D.R.Aravind

4.Rathinam

5.D.R.Manikandan

6.D.R.Shalini

7.Prabhakaran

... Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records pertaining to the order dated 26.10.2023 made in Cr.M.P.No.6254 of 2023 passed by the learned Judicial Magistrate Court No.I, Kuzhithurai and set aside the same.



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For Petitioner : Mr.A.Robinson
For R-1 & R-2 : Mr.B.Thanga Aravindh
Government Advocate (Crl. side)

ORDER

This petition has been filed challenging the order passed by the learned Judicial Magistrate Court No.I, Kuzhithurai in Cr.M.P.No.6254 of 2023, dated 26.10.2023.

2.Heard Mr.A.Robinson, learned counsel appearing for the petitioner and Mr.B.Thanga Aravindh, learned Government Advocate (Crl. side) appearing for the respondents 1 and 2.

3.On going through the records, it is seen that the learned Magistrate has already passed an order on 15.06.2023, directing the respondent police to register the First Information Report and to proceed further with the investigation. However, this order was not complied with and the petitioner filed Crl.M.P.No.6254 of 2023. The learned Magistrate ought to have called for the report from the police to ascertain as to



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whether the First Information Report was registered in line with the order passed on 15.06.2023. Instead, the learned Magistrate merely closed the petition.

4.In the light of the order passed by the learned Judicial Magistrate No.I, Kuzhithurai in Crl.M.P.No.6254 of 2023, there shall be a direction to the first respondent to register an FIR and to proceed further with the investigation and complete the investigation as expeditiously as possible. The First Information Report shall be registered within a period of one week from the date of receipt of a copy of this order.

5.This Criminal Original Petition is disposed of with the above directions.

06.12.2024

Index: Yes/No
Internet: Yes/No
sjj

To

1.The Judicial Magistrate Court No.I, Kuzhithurai.

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N.ANAND VENKATESH.J.,

sjj

- 2.The Inspector of Police,
AWPS-Marthandam,
Kanyakumari District.
- 3.The Sub-Inspector of Police,
AWPS-Marthandam,
Kanyakumari District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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