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Crl.O.P.No.3619 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.3619 of 2025

Mr. T. Karthikeyan (M/41)
Represented through his power of Attorney,
Mr. K.S. Thirugnanam (M/71)
Son of Late Subramani Mudaliar,
No.412, Bharathiyar Street,
Thiruvengadapuram,
Ponneri 601 204. ... Petitioner

Vs.

1. The State,
Represented by the Inspector of Police,
Thirupalaivanam Police Station,
Tiruvallur District.

2. K.S Mohan, Son of Subramani Mudaliar,
No.21D, Achari Street,
Melavanjiyur Village, ThirumalaiyanPattinamTaluk,
Karaikal District, Pondicherry 609 606.

3. S.Arumugham,
Son of Subramani Mudaliar,
No.229, Vallar Street,
Balamurugan Nagar, Thiruvengadapuram,
Ponneri 601 204. ... Respondents

Prayer: Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita, 2023 pleased to direct the 1st respondent to comply
the order of the Hon'ble Judicial Magistrate No.II, Ponneri in Crl.M.P.No.3682



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of 2023 dated 22.09.2023 and to initiate prosecution against the 2nd and 3rd respondents.

For Petitioner : Mr.D.Daniel
For R1 : Mr.K.M.D.Muhilan,
Government Advocate (Crl. Side)

ORDER

This petition has been filed seeking direction to direct the 1st respondent to comply the order of the Hon'ble Judicial Magistrate No.II, Ponneri in Crl.M.P.No.3682 of 2023 dated 22.09.2023 and to initiate prosecution against the 2nd and 3rd respondents.

2. The learned counsel for the petitioner submits that the petitioner lodged a complaint against the respondents 2 and 3 with the 1st respondent. However, no action has been taken and as such, the petitioner is constrained to file a petition for a direction under Section 156(3) of the Cr.P.C., before the Judicial Magistrate No. II, Ponneri, in Crl.M.P. No. 3682 of 2023. The learned Judicial Magistrate No. II, Ponneri, by order dated 22.09.2023, directed the 1st respondent to conduct a preliminary enquiry on the complaint lodged by the petitioner. If any cognizable offence is made out, the respondent police shall



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register the F.I.R. and submit the report. If no cognizable offence is made out, the report shall be filed accordingly.

3. On instructions, Mr.K.M.D.Muhilan, learned Government Advocate (Crl. Side) for the 1st respondent submits that, as directed by the learned Judicial Magistrate No.II, Ponneri, the 1st respondent conducted a detailed enquiry and closed all the allegations made against respondents 2 and 3, which are civil in nature. However, so far, no report has been filed as directed by the learned Magistrate.

4. In view of the above, this Criminal Original Petition is disposed of. The 1st respondent/Inspector of Police, Thirupalaivanam Police Station, Tiruvallur District is directed to submit a report before the Judicial Magistrate No.II, Ponneri, in Crl.M.P.No.3682 of 2023 *vide* order dated 22.09.2023 within a period of two weeks, from the date of receipt of copy of this order.

12.02.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order



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G.K.ILANTHIRAIYAN, J.

bsm

To,

1. The Judicial Magistrate No.II, Ponneri.
2. The Inspector of Police, Thirupalaivanam Police Station, Tiruvallur District.
3. The Public Prosecutor, High Court, Madras.

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