



Crl.O.P.No. 11560 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P.No. 11560 of 2025

K. Devi

..... Petitioner

Vs

1.The State of Tamil Nadu Rep.by,
The Superintendent of Police,
Vengikkal,
Thiruvannamalai District.

2.The Inspector of Police,
Vandavasi North Police,
Vandavasi, Thiruvannamalai.

3.B. Arumugam

4.A. Sivagami

..... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to direct the 2nd respondent to register a FIR against the 3rd and the 4th respondent in pursuance of the order passed in Crl.M.P.No.1269 of 2024 on the file of Judicial Magistrate, Vandavasi dated 16.05.2024.

For Petitioner : Mr.S.Udhayasankar

For R1 & R2 : Mr.A.Gopinath
Government Advocate (Crl.Side)



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ORDER

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This Criminal Original Petition has been filed seeking a direction to the second respondent to register an FIR as against the third and fourth respondents, in pursuance of the order passed in Crl.M.P.NO.1269 of 2024 on the file of the Judicial Magistrate, Vandavasi, dated 16.05.2024.

2. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the first and second respondents. Perused the materials available on record.

3. Based on the complaint lodged by the petitioner, the learned Judicial Magistrate, Vandavasi, by an order dated 16.05.2024, directed the second respondent to register an FIR, investigate the matter and file a final report.

4. On instructions, the learned Government Advocate (Crl.Side) appearing for the first and second respondents submitted that, even prior to the said direction, the second respondent had conducted an enquiry and closed the complaint on the ground that it was civil in nature.



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5. A perusal of the order passed by the learned Judicial

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Magistrate, Vandavasi reveals that there is a specific direction to the second respondent to register an FIR. However, without even registering the FIR, the second respondent conducted an enquiry and closed the complaint. Therefore, any closure report filed without compliance with the said direction cannot be sustained.

6. In view of the above, the second respondent is directed to register the FIR, as directed by the learned Judicial Magistrate, Vandavasi, dated 16.05.2024, forthwith and proceed with the investigation in accordance with law.

7. With the above direction, this Criminal Original Petition stands allowed.

21.04.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

1.The Judicial Magistrate, Vandavasi

2.The Superintendent of Police,
Vengikkal,
Thiruvannamalai District.

3.The Inspector of Police,
Vandavasi North Police,
Vandavasi, Thiruvannamalai.

3.The Public Prosecutor,
High Court, Madras.

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