



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.10.2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.R.C.No.1989 of 2025

M. Anttonyous Flamstid Abraham

...Appellants

Vs

The State of Tamilnadu,
Rep by the Inspector of police (L & O),
J-1 Saidapet Police Station,
Saidapet, Chennai – 600 015.

..Respondents

Prayer: This petition is filed under Section 438 & 442 of B.N.SS, 2023 to set aside the order in Crl.M.P.No.8897 of 2025 in Crl.M.P.No.968 of 2024 on the file of XVIII Metropolitan Magistrate, Saidapet, Chennai dated 03.09.2025 and allow the petition and pass orders.

For Petitioner : Mr.Prakash Goklaney

For Respondents : Dr.C.E. Pratap, Government Advocate

ORDER

This appeal has been filed to set aside the order in Crl.M.P.No.8897 of 2025 in Crl.M.P.No.968 of 2024 on the file of XVIII Metropolitan Magistrate, Saidapet, Chennai dated 03.09.2025 and allow the petition.



2.The brief facts of the case are as follows:

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The case of the petitioner is that a complaint was lodged on 17.12.2023 against one Praveen Kumar and C.S.R.No.1140 of 2023 was issued. However, no action was taken by the respondent. Hence, the petitioner filed Crl.M.P.No.968 of 2023 before the Metropolitan Magistrate, Saidapet, Chennai -15 seeking direction of this Court to direct the respondent to register an F.I.R and the same was allowed on 31.01.2024 allowed with a direction to the respondent to investigation the case in accordance with law following the guidelines stipulated in “*Lalitha Kumari's case and Suhesan Transport Private Limited*” and to file a final report on or before 22.03.2024. It is pertinent to note that the final report was not filed within the stipulated time. Hence, the petitioner filed a petition in Crl.M.P.No.8897 of 2025 in Crl.M.P.No.968 of 2024 under Section 21 and 44 of the Tamil Nadu District Police Act, 1859 to initiate action against the respondent for the wilful disobedience of the order of this Court before the Metropolitan Magistrate, Saidapet, Chennai -15. The Court below dismissed the petition on 03.09.2025. Challenging the same the petitioner has come up with this petition.



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3. The learned counsel for the petitioner submits that the respondent had deliberately delayed in filing of the FIR which was ordered to be filed 51 days ending with 22.03.2024, while the FIR itself only on 25.04.2024 and the Final Report was filed on 31.05.2024 only after the petition was filed on 03.04.2024. He further submits that the act of the respondent is very lethargic and needs interference of this Court.

4. The learned Government Advocate appearing for the respondent submits that they have received the papers belatedly from the Court i.e on 25.03.2024 and the FIR was registered on 25.04.2024 after conducting an enquiry. He further submits that they have not deliberately delayed the proceedings and the same is a unfortunate one. Hence, prays to dismiss this petition.

5. Heard both sides and perused the materials on record.

6. Before advertizing further it would be relevant to go through the Section 24 of the Tamil Nadu District Police Act, 1859 and the same is extracted hereunder:.

Allows a police officer to inform a Magistrate and apply for any legal process(like a summons or warrant) against an offender)



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7. The question arises for consideration in this Criminal Revision case is that the delay in taking action against the complaint lodged by the petitioner is acceptable or not. On going through the records this Court is of the view, that it is not acceptable as the respondent has not complied with the above provisions and has complied after petitioner filed this petition, which shows their lethargic attitude. Hence, this Court expects the respondent police to speed up their action in order to maintain law and order properly.

8. However, the final report has been filed and the issue has been settled this Criminal Revision Case is closed.

09.10.2025

Index : Yes/No

Internet : Yes/ No

Speaking/Non-speaking Order

smn

To

- 1.The XVIII Metropolitan Magistrate, Saidapet, Chennai
- 2.The Public Prosecutor, High Court, Madras

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T.V.THAMILSELVI.,J
smn

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