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CRL OP No. 6302 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HONOURABLE MR JUSTICE M. NIRMAL KUMAR

CRL OP No. 6302 of 2026

D.Prabhakar

Petitioner(s)

Vs

1. The Inspector of Police,
M1, Madhavaram Police Station,
Madhavaram, Chennai.

2.S.Vijayakumar
Residing at 4/418, Radhakrishnan Salai,
Pozhichalur, Pallavaram, Chennai - 53.

Respondent(s)

PRAYER: Criminal original Petition filed under Section 528 of BNSS, to direct the 1st respondent to forthwith register a First Information Report based on the complaint of the petitioner in compliance with the order already passed under Section 156(3) of the Code of Criminal Procedure in Crl.M.P.No.2011/2024 and consequently conduct a fair, proper and time bound investigation and prosecute the 2nd Respondent in accordance with law and thus render justice.

For Petitioner(s): Mr.R.C.Sree Nandha
for Mr.S.Ravichandran

For Respondent(s): Mr.Leonard Arul Joseph Selvam
Additional Public Prosecutor
for R1



ORDER

This Court, vide order dated 11.03.2026, directed the Deputy Commissioner Kolathur, Chennai, to file a report giving details about what steps have been taken with regard to the complaint given by the petitioner.

2. In compliance with the said order, dated 11.03.2026, the Deputy Commissioner of Police, Kolathur District, Chennai, has filed a counter/status report.

3. From the perusal of the counter/status report, it reveals that, earlier the petitioner has lodged a complaint, which was registered as Crime No.361 of 2023 on 25.08.2023 for offences under Sections 406, 420 of IPC, and the same was taken up for investigation.

4. Subsequently, without ascertaining the status of Crime No.361 of 2023, and suppressing the said fact, the petitioner filed a petition under Section 156(3) of Cr.P.C., in CrI.M.P.No.2011 of 2024, based on the very same set of facts. Such conduct is deprecatory and is contrary to the guidelines laid down by the Hon'ble Supreme Court in the case of ***Priyanka Srivastava & another vs State of U.P. & others reported in 2015 (6) SCC 287***, wherein it has held that an affidavit of the complainant to be obtained for taking action for



suppression of facts.

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5. However, considering that the learned counsel appearing for the petitioner is a young practitioner, this Court is not dwelling into that aspect. In view of the fact that Crime No.361 of 2023 is already pending, the Deputy Commissioner of Police, Kolathur District, Chennai, is directed to ensure that the final report in Crime No.361 of 2023 is filed within a reasonable time, without any further delay.

6. With the above observation and direction, this Criminal Original Petition is disposed of.

23-03-2026

Jd
Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No

To
1. The Inspector of Police,
M1, Madhavaram Police Station, Madhavaram,
Chennai.

2. The Public Prosecutor,
Madras High Court, Chennai.



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M.NIRMAL KUMAR J.
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