

In the Court of Judicial Magistrate No.II Tiruvallur

Present: Thiru G. Sathia Narayanan , B.A., B.L.,

Judicial Magistrate No.II,

Tiruvallur.

Monday the 13th day of June 2022

C.M.P.No.4016/2022

D.No. 388 / 22
15.6.22

M. Prabhakaran, M/A- 36Years,
S/o. Murugesan,
Anthoniyar Street, Charles Nagar,
Pattabiram, Chennai.

..... Petitioner

.. Vs..

1. Inspector of Police – Crime
T9 Pattabiram Police Station,
Tiruvallur.
2. The Assisstant Commissioner of Police
Pattabiram Range,
Thirunindravur.
3. The Deputy Commissioner of Police,
Avadi, Chennai.
4. Amirtha Gunaseeli
W/o. Punitharaj.

.... Respondents

This petition, coming before this court for final hearing on 13.06.2022 in the presence of Thiru. P. Balraj learned counsel for the petitioner, upon hearing petitioner side arguments and perusal of the records, this court delivered the following.

ORDER

Heard the counsel for the petitioner and perused the material on record.

2. The petitioner had came up with the present petition to direct the Inspector of police, T9 Pattabiram Police Station to file F. I. R on the petitioner's Complaint against the 4 th Respondent

under section 406,420 of IPC. The occurrence was informed to the Inspector of police, Pattabiram Police Station, on 13.04.2022 by way of written information but no action was taken and the petitioner gave a representation to the Respondents No. 1 to 3 on 13.04.2022. But as the police had not registered any FIR and did not conduct any investigation, the petitioner filed this present petition accompanied by this affidavit.

3. Heard the counsel for the petitioner. All records perused.

4. The petition averments clearly show that the petitioner exhausted all the remedies available U/s 154 (3) of Cr. P. c. Being so, the information relating to commission of offence given to the police by the petitioner shall not be kept pending without following the directions issued by our Hon'ble Supreme Court in Lalita Kumari V/s Government of U. P and others on 12 November 2013 and our Hon'ble Highcourt in Sugesan Transport Pvt. Ltd V/s The Inspector of Police on 17 August 2016. Thus considering the petition and as per the dictum laid, the Inspector of Police, Pattabiram P. S is directed as follows :

- A) If the information received from the Petitioner disclose, Commission of Cognizable offence, then the same shall be registered as F. I. R.
- B) If the information received does not disclose a cognizable offence, then the investigating officer shall conduct a preliminary inquiry to ascertain whether cognizable offence is disclosed or not.
- C) If the inquiry discloses the commission of a cognizable offence, then F. I. R must be registered.
- D) If the preliminary inquiry ends in closing the complainant, the disclosure report must be recorded along with the reasoning and a copy of the same shall be furnished to the complainant within one week.
- E) All information relating to cognizable offences whether resulting in registration of FIR or leading an enquiry must be reflected in the general diary/station diary/daily diary of the respondent Police station.

4. In the result, this petition is Partly allowed. The copy of this order along with the written information of the petitioner is forwarded to the Inspector of Police, T9 Pattabiram PS for investigation.



[Handwritten signature]
13/6

Judicial Magistrate No. II
Tiruvallur