

HON'BLE SRI JUSTICE R. RAGHUNANDAN RAO

CRIMINAL PETITION No.180 of 2023

ORDER:

The petitioner is said to have approached the First-Class Judicial Magistrate at Vinukonda for taking cognizance of a complaint as the appropriate Police Station had refused to register the complaint filed by the petitioners under Sections 147, 148, 451, 452 & 307 read with 511, 435, 324 and 506 read with 149 of Indian Penal Code. The said complaint is said to have given in relation to an offence committed on 10.07.2022.

2. The complaint filed before the Magistrate was given C.F.R.No.5204 of 2022 on 16.09.2022. The complaint of the petitioner is that the said complaint is not being taken up by the Magistrate and no further process is being issued due to which the interest of the petitioner is getting affected as a counter case filed against the brother of the petitioner in the same incident has already been registered by the police and is being investigated.

3. The non-consideration of the complaint filed by the petitioner for three months, is not permissible.

4. Accordingly, this Criminal Petition is disposed of with a direction to the First-Class Judicial Magistrate at Vinukonda to consider and take a decision as to whether cognizance is to be taken of the complaint filed by the petitioner and the future course of action in the event of taking cognizance of the case. This exercise shall be completed by the Magistrate within a period of three (03) weeks from the date of receipt of this order. There shall be no order as to costs.

Miscellaneous petitions, pending if any, in this Criminal Petition shall stand closed.

R. RAGHUNANDAN RAO, J

05.01.2023
BSM/KPV

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