

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-08-2015

Coram

THE HON'BLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Case No. 914 of 2015

J.Yegneshwaran

.. Petitioner/Petitioner/1st
Respondent

Versus

M.Mogana

.. Respondent/Respondent/
Petitioner

Criminal Revision Case filed under Sections 397 and 401 of Cr.P.C. against the order dated 20.07.2015 in M.P.No. 1655 of 2015 in M.C.No.92 of 2014 on the file of the XVIII Metropolitan Magistrate, Saidapet, Chennai.

For Petitioner

: Mr.K.M.Srirangan
for Mr.G.L.Ramshankar

ORDER

This Criminal Revision Case is filed against the order dated 20.07.2015 passed by the XVIII Metropolitan Magistrate, Saidapet, Chennai, in M.P.No. 1655 of 2015 in M.C.No.92 of 2014, filed under Section 195 r/w. 340 Cr.P.C.

2. Mr.K.M.Srirangan, learned counsel appearing for the petitioner would submit that the petitioner has filed the petition before the Family Court under Section 195 Cr.P.C., which contemplates, if any party approaches the Court with falsehood, the Court shall proceed with for conducting an enquiry and accordingly, punish the person as contemplated under the Indian Penal Code, but, the said petition was closed.

3. On a perusal of the impugned order, it is seen that the Family Court in the impugned order has rightly stated that Section 195 Cr.P.C., can be invoked only after the trial is over. Further, it is seen that the impugned order is only interlocutory in nature and it is not a final order and hence, revision under Section 397 Cr.P.C.,

is not maintainable. Therefore, this Criminal Revision Case is dismissed as not maintainable.

-s/d-
Assistant Registrar(CO)
dt:16/09/2015

True Copy

Sub-Assistant Registrar

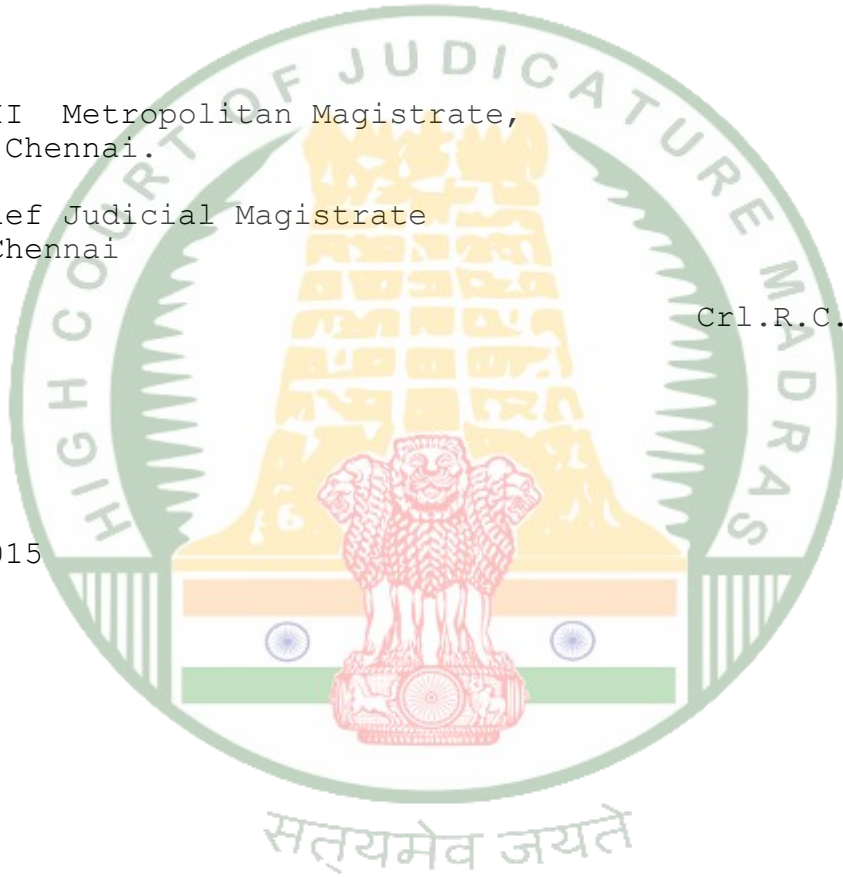
To

1.The XVIII Metropolitan Magistrate,
Saidapet, Chennai.

2.Thro'Chief Judicial Magistrate
Saidapet Chennai

Crl.R.C. No. 914 of 2015

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