

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE **V.BHARATHIDASAN**

Criminal Revision No.495 of 2011

Esmie Rodrigues

...Petitioner

Vs

1. Jayachandran

2. Inspector of Police,
T.Udayakumar,
F-2 Police Station,
Egmore, Chennai-8.

3. Sub-Inspector of Police,
Naseema,
F-2 Police Station,
Egmore, Chennai-8.

4. Sigamani, Writer,
F-2 Police Station,
Egmore, Chennai-8.

5. Constable Shankar,
F-2 Police Station,
Egmore, Chennai-8.

6. Constable 9019, Rajendran
F-2 Police Station,
Egmore, Chennai-8.

...Respondents

Prayer:- This Criminal revision is filed under Section 397 & 401 of Cr.P.C., against the order dated 29.01.2010 made in CrI.M.P.No.1082 of 2007 passed by the learned Chief Metropolitan Magistrate, Egmore, Chennai.

For petitioner : Mr.V.Ramana Reddy

For Respondents : Mr.V.Kannadasan

ORDER

The criminal revision petition has been filed against the order passed by the learned Chief Metropolitan Magistrate, Egmore, Chennai dismissing the private complaint given by the petitioner.

2. According to the petitioner, she was staying in Royal Womens' Hostel, No.2, Veerasamy Street, Egmore, Chennai-8, and there was a dispute between the petitioner and the first respondent on 08.02.2006, and the petitioner has filed a complaint, on her complaint, a case was also registered in Cr.No.2186 of 2006 on 21.11.2006. Thereafter, the hostel Warden and Watchman had prevented the petitioner from entering into the hostel. Hence the petitioner lodged a complaint and the same was assigned CSR as C.S.R.No. 326 of 2006 by the F2 Police Station, and the petitioner requested the police to help her to take her jewels and other valuable things which she kept in the hostel. But, the Assistant Commissioner of Police by name Amaravarma abused her and teased her in the police station. Thereafter, the said Amaravarma directed the Sub Inspector of Police one Ramu to register a false case

against the petitioner and the case was registered in Cr.No.2389 of 2006. The said Amaravarma has also threatened the petitioner to vacate the hostel or otherwise he would cause danger to her life. In the above said case, she was detained in F2 police station on 16.12.2006 and also remanded to judicial custody, thereafter, the petitioner was sent to Saidapet Sub Jail where she was detained for three days. In the above circumstances, the petitioner has sent legal notice to the Commissioner of Police for taking action. Since there was no action, the petitioner filed a private complaint before the learned Chief Metropolitan Magistrate, Egmore, Chennai for the offences under Section 341, 342, 211, 193, 500 and 506(ii) of IPC and the learned Chief Metropolitan Magistrate after considering the complaint dated 18.11.2006 given by the petitioner, came to the conclusion that there is no prima facie case is made out in the complaint and hence dismissed the petition. Challenging the said order of dismissal, the present revision petition has been filed by the petitioner.

3. Heard Mr.V.Ramana Reddy, learned counsel for the petitioner and Mr.V.Kannadasan, learned counsel for the respondents.

4. On a perusal of the complaint filed by the petitioner I find that there is allegation only against one Amaravarman, the Assistant

V.BHARATHIDASAN,J.

rts

Commissioner of Police that he has threatened the petitioner and further there is no allegation as against none of the respondents in the complaint. Apart from that, there is no averment in respect of the alleged act of the respondents involving the offences as stated in her complaint. The Trial Court rightly came to the conclusion that there is no prima facie case made out in the complaint, and I find no illegality or infirmity in the order passed by the Chief Metropolitan Magistrate. Hence, the criminal revision petition is liable to be dismissed and accordingly, dismissed.

15.12.2016

Index:Yes

rts

To

The Chief Metropolitan Magistrate, Egmore, Chennai.

Crl.R.C.No.495 of 2011

<http://www.judis.nic.in>