

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.03.2016

CORAM

THE HONOURABLE DR.JUSTICE P.DEVADASS

CRL.R.C.No.537 of 2016

&

Crl.M.P.No.3570 of 2016

A.Radhakrishnan

... Revision Petitioner

Vs.

1. Anwar R.P.M. Adam

2. The State,
Represented by the Inspector of Police,
E.8, Kelambakkam Police Station,
Kelambakkam,
Thiruporur Taluk,
Kancheepuram District.

... Respondent

Criminal Revision Case filed under Sections 397 and 401 of the Code of Criminal Procedure to call for the records in un-numbered CMP of 2016 on the file of the learned Judicial Magistrate No.I, Chengalpattu, filed by the first respondent under section 190(1)(a) r/w.156(3) Cr.P.C. and set aside the proceedings dated 24.02.2016 forwarding the petition dated 22.02.2016 filed by the first respondent to the second respondent.

For Petitioner : Mr.M.Sivavarthanan

For 2nd respondent : Mr.V.Arul,
Government Advocate (Crl. Side)

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O R D E R

The first accused aggrieved by the Order of the Magistrate said to have issued direction under section 156(3) Cr.P.C. to the 2nd respondent has come forward with this revision.

2. Heard the learned counsel for the petitioner.

3. Now, the F.I.R. has been registered as against the petitioner/A1 and 4 others for certain offences in Crime No.96 of 2016.

4. Once an Order under section 156 (3) Cr.P.C. is passed, the police is bound to register F.I.R. But they may file positive final report or negative final report depending upon the evidence collected. Now a case has been registered as against the petitioner. Now, it will be a futile exercise to go into the direction issued by the learned Magistrate under section 156(3) Cr.P.C.

5. In the circumstances, this revision is disposed of with liberty to the petitioner to take appropriate action as against the registration of F.I.R. as against him. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vrc

To

1. The Judicial Magistrate No.I,
Chengalpattu.
2. The Inspector of Police,
E.8, Kelambakkam Police Station,
Kelambakkam,
Thiruporur Taluk,
Kancheepuram District.
3. The Chief Judicial Magistrate No.1,
Chengalpattu.
4. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Sivavarthan, Advocate, S.R.No.20071

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EV(CO)

CA(04/04/2016)