

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

CrI.R.C.No.237 of 2017

Dr.S.Rajagopal
S/o.E.P.Sanjeevi

... Petitioner

Vs.

The Inspector of Police,
J-5, Sasthri Nagar Police Station,
Besant Nagar,
Chennai.

... Respondent

Criminal Revision Case filed under Section 397 and 401 Cr.P.C.
against the order of learned IX Metropolitan Magistrate, Saidapet, Chennai,
passed in CrI.M.P.No.3678 of 2016 on 04.02.2017.

For Petitioner : Mr.S.Sivakumar
For Respondents : Mr.M.Mohammed Riyaz
Government Advocate [CrI.side]

ORDER

This revision arises against the order of learned IX Metropolitan
Magistrate, Saidapet, Chennai, passed in CrI.M.P.No.3678 of 2016 on
04.02.2017, dismissing a petition u/s.156(3) Cr.P.C.

2. Heard learned counsel for petitioner and learned Government Advocate [Crl.side].

3. Court below has dismissed the petition u/s.156(3) Cr.P.C. on the reasoning that having preferred a complaint under Section 154(1) Cr.P.C., petitioner, without approaching the higher authority in keeping with Section 154(3) Cr.P.C., has preferred the petition u/s.156(3) Cr.P.C.

4. Learned Government Advocate [Crl.side], on instructions, submits that the complaint of the petitioner is pending with the respondent in C.S.R.No.293 of 2016 dated 03.12.2016.

5. In the circumstances, this Court directs the jurisdictional Superintendent of Police to consider whether the complaint pending in C.S.R.No.293 of 2016 on the file of respondent informs commission of cognizable offences and if so, act in accordance with Section 154 (3) Cr.P.C.

The Criminal Revision Case is disposed of with the above direction.

20.02.2017

Index:yes/no
Internet:yes/no
gm

To

- 1.The IX Metropolitan Magistrate,
Saidapet,
Chennai.
- 2.The Inspector of Police,
J-5, Sasthri Nagar Police Station,
Besant Nagar, Chennai.
- 3.The Public Prosecutor,
High Court, Madras.

C.T.SELVAM, J

gm

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