



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.07.2017

CORAM :

THE HONOURABLE MR. JUSTICE V. BHARATHIDASANCrl.R.C. (MD) No.500 of 2017

and

Crl.M.P (MD) No.5530 of 2017

WEB COPY

S.Periya Nadar

... Petitioner

Vs.

The Sub Inspector of Police,
Suchindrum Police Station,
Kanyakumari District.

... Respondent

Petition filed under Sections 397 read with 401 Cr.P.C, against the order dated 11.04.2017 passed in Crl.MP.No.1423 of 2017 by the Judicial Magistrate, No.III, Nagercoil.

For Petitioner : Mr.C.T.Perumal

For Respondent : Mr.C.Mayilvahana Rajendran
Additional Public Prosecutor**ORDER**

The petitioner has filed an application under Section 156 (3) Cr.P.C., before the Judicial Magistrate, No.III, Nagercoil, seeking a direction to the police to register his complaint. The Court below after perusing the records and considering the nature of case, treated the application itself as private complaint and directed the petitioner to file proof affidavit and posted the matter for recording statement of complainant and witnesses. Challenging the said order, the present Revision Case has been filed.

2.Heard Mr.C.T.Perumal, learned counsel for the petitioner and Mr.C.Mayilvahana Rajendran, learned Additional Public Prosecutor for the respondent.

3.The Judicial Magistrate after considering the nature of the case and also after perusing the available records, treated the petition itself as private complaint and directed the petitioner to file proof affidavit and list of witnesses. Hence, I find no illegality in the order passed by the Magistrate and therefore, this Revision is liable to be dismissed.

4.In fine, this Criminal Revision Case is dismissed. Consequently, Crl.MP (MD) No.5530 of 2017 is closed.

Sd/-

Assistant Registrar (CS-II)



To

1. The Judicial Magistrate, No.III, Nagercoil.

2. The Sub Inspector of Police,
Suchindrum Police Station,
Kanyakumari District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.C.T.PERUMAL, Advocate, SR No. 64065

MJ

PSM/SV/SAR1/19.07.2017/2P/5C

Cr1R.C.(MD) No.500 of 2017
and
Cr1.M.P(MD)No.5530 of 2017
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