



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.11.2017
CORAM:

THE HONOURABLE MR. JUSTICE A.M.BASHEER AHAMED

WEB COPY

Cr1.R.C.(MD)No.853 of 2017

N.Mariappan ... Petitioner/Petitioner

Vs.

1.Azhagia Esakkimuthu

2.Shanmuganathan

3.Judy ... Respondents/Respondents

PRAYER: The Petition filed under Section 397 r/w 401 of Cr.P.C. to call for the records in Cr.M.P.No.6943 of 2016 on the file of the learned Judicial Magistrate No.II, Kovilpatti, Thoothukudi District and set aside the order dated 27.07.2016.

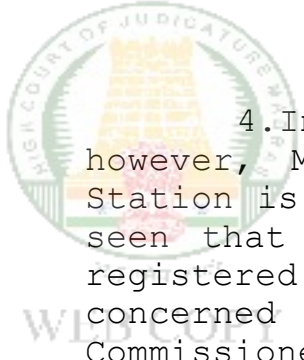
For Petitioner	: Mr.A.Thiruvadi Kumar
For R1	: Mr.S.Vinod Sathya Lazar
For R2 & R3	: No Appearance

ORDER

This petition has been filed to set aside the order dated 27.07.2016 in Cr.M.P.No.6943 of 2016 passed by the learned Judicial Magistrate No.II, Thoothukudi District.

2.The learned counsel for the petitioner is present. The learned counsel for the first respondent is also present. The petitioner is the de facto complainant, who preferred a petition under Section 156(3) of Cr.P.C. before the learned Judicial Magistrate concerned and the same was ordered. However, the Inspector of Police, Kovilpatti has not registered FIR as per the order of the learned Judicial Magistrate concerned and on investigation, he came to know that the alleged occurrence took place within the jurisdiction of Sattur Police Station and as per the order of the Deputy Superintendent of Police, the matter was transferred to Deputy Commissioner of Police, Virudhunagar and investigation is still pending.

3.The petitioner filed a petition in Cr.M.P.No.6943 of 2016 to proceed against the Inspector of Police, Kovilpatti, West Police Station for the offences punishable under Sections 420, 467, 471, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 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2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440



4. In this Criminal Revision, State is not added as party, however, Mrs. Judy, Inspector of Police, Kovilpatti West Police Station is added as the third respondent in this case. It is also seen that the Inspector of Police, West Police Station had not registered FIR as per order of the learned Judicial Magistrate concerned and the petition was placed before the Deputy Commissioner of Police, Virudhunagar, since the alleged occurrence took place within the jurisdiction of Sattur.

5. Hence, this Court is not inclined to interfere with the order passed by the learned Judicial Magistrate in Cr.M.P.No.6943 of 2016, dated 27.07.2016. Accordingly, this petition is dismissed in the admission stage itself.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II, Kovilpatti,
Thoothukudi District.

2. Do thro' The Chief Judicial Magistrate,
Thoothukudi District.

+1cc to M/S.A.Thiruvadi Kumar, Advocate SR.No. 88023

+1cc to M/S.S.Vinod Sathya Lazar, Advocate SR.No. 88109

Cr1.R.C.(MD)No.853 of 2017

17.11.2017

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JM/JC/SAR 1/08.12.2017/2P/5C