

HON'BLE SRI JUSTICE P. KESHA RAO

CRIMINAL REVISION CASE No.1826 of 2011

ORDER:

Heard learned counsel for the petitioner.

The present revision case is filed against the orders passed in C.C.S.R.No.832 of 2011 dated 17.05.2011 on the file of the Judicial First Class Magistrate, Pratipadu, dismissing the complaint filed under Section 190 Cr.P.C.

The facts in brief are that the petitioner filed a private complaint under Section 190 Cr.P.C., praying the Court to punish respondent Nos.2 and 3 for various offences under the Indian Penal Code. The basic grievance of the petitioner is that his elder son was working as a Mechanical and Programme Engineer in Australia and sending money to him. Out of the same, the petitioner and his family members have purchased gold jewelry and have some bank balance. Respondent Nos.2 and 3 herein, who came to know about the possession of the said money and gold jewelry, filed a false complaint against the petitioner before the concerned police. Thereafter, the petitioner and his family members were apprehended by the police and taken them from one police station to another and they have taken away all the gold jewelry and money from them. In fact, in that connection, they issued a legal notice and etc. As no action was taken against respondent Nos.1 and 2, they filed a private complaint under Section 190 Cr.P.C. However, the learned Magistrate,

after looking into the contents of the complaint, dismissed the same by order dated 17.05.2011. Aggrieved by the same, the present revision case is filed.

Learned counsel appearing for the petitioner strenuously contended that the learned Magistrate committed an error in dismissing the complaint without appreciating its contents in proper perspective and also not referring to the documents enclosed to it. The Court below also failed to follow the procedure prescribed in the Code of Criminal Procedure, more particularly, to deal with the private complaint filed under Section 200 Cr.P.C.

Having heard the learned counsel for the petitioner and from the perusal of the material on record, particularly, the impugned order, it is revealed that serious allegations are made against the police, who have taken them from one police station to another and harassed the petitioner and his family members and in the process they have taken away all the jewelry and money from them on a false complaint made by respondent Nos.1 and 2. A detailed complaint has been filed. From the contents of the same, there is absolutely no whisper against the concerned police, who have harassed them. Therefore, it appears that the petitioner has not come out with correct information in the complaint. Even the learned Magistrate in the impugned order observed that without making any allegation against the police concerned, the complaint was filed against the named accused only. In

these circumstances, this Court is of the opinion that there are no merits in the criminal revision case.

Accordingly, the criminal revision case is dismissed.

Miscellaneous petitions, if any, shall also stand dismissed.

P. KESHAVA RAO, J

Date: 05.10.2018.
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