

CrI.RC.SR.No.13119 of 2019

and

CrI.M.P.No.3887 of 2019

P.VELMURUGAN.J.

It is stated that the revision petitioner has filed a complaint against the third respondent before the first respondent. The first respondent registered a case and subsequently closed the case "on mistake of facts". Therefore the revision petitioner filed a protest petition before the learned XVIII Metropolitan Magistrate, Chennai, and the same was dismissed on 19.03.2018 in M.P.No.4634 of 2017 on the ground that no documents were produced by the petitioner.

2. The learned counsel for the petitioner would submit that the learned Magistrate observed that the documents were produced subsequent to the filing the complaint.

3. Though, the first respondent police closed the complaint as mistake of facts. Thereafter the revision petitioner filed a protest petition before the learned XVIII Metropolitan Magistrate, Chennai, he has not produced any document. Hence, it was dismissed by the learned XVIII Metropolitan Magistrate, Chennai.

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4. However, the petitioner has stated that he has got a material to prove his case. Though, learned counsel for the petitioner admitted before the learned Magistrate, that the petitioner has not produced any document, subsequently now the petitioner is having the document. Since, the petitioner filed a private complaint before the learned XVIII Metropolitan Magistrate, Chennai, with the available records. The learned Magistrate found that the prosecution has not proved his case. The petitioner is at liberty to file fresh complaint with the documents now obtained. Subsequent to dismissal of the complaint.

5. The learned XVIII Metropolitan Magistrate, Chennai shall deal with the complaint in accordance with law.

6. With the above direction, the Criminal Revision Case is dismissed at the SR stage itself. Consequently, connected Miscellaneous Petition is closed.

15.03.2019

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Index - Yes/No

Internet - Yes/No

Speaking Order/Non-speaking order

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in Crl.RC.SR.No.13119 of 2019