

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2019

CORAM

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.RC.No.773 of 2019

Tech Mahindra Ltd.,
Rep. by Mr.Ramachandran N
No.602/3, ELCOT SEZ, 138
Sholinganallur
Chennai-600 119.

.. Petitioner

Vs

State rep. by Inspector of Police
EDF-III, Team-21,
CCB, Chennai.

.. Respondent

Criminal revision preferred under Section 397 read with Section 401 of Cr.P.C. seeking to set aside the order dated 21.05.2019 passed in Crl.MP.No.3394 of 2019 by the learned Judicial Magistrate, Alandur, Chennai and direct the respondent to register an FIR on the complaint dated 31.01.2019 given by the petitioner.

For Petitioner : Mr.K.P.Anantha Krishna

For Respondent : Mrs.P.Kritika Kamal
Government Advocate (Crl.Side)

सत्यमेव जयते
O R D E R

This Criminal Revision has been preferred to set aside the order dated 21.05.2019 passed in Crl.MP.No.3394 of 2019 by the learned Judicial Magistrate, Alandur, Chennai and direct the respondent to register an FIR on the complaint dated 31.01.2019 given by the petitioner.

2. Heard Mr.K.P.Anantha Krishna, learned counsel for the petitioner and Mrs.P.Kritika Kamal, learned Government Advocate (Crl. Side) for the respondent-State.

3. The petitioner filed CMP.No.3394 of 2019 under Section 156(3) Cr.P.C. before the Judicial Magistrate, Alandur, which

has been dismissed on 21.05.2019, aggrieved by which, the petitioner has filed the present revision under Section 397 r/w 401 Cr.P.C.

4. In the opinion of this Court, an order passed by the Magistrate under Section 156(3) Cr.P.C. either directing an investigation or dismissing the petition cannot be subjected to judicial review under Section 397 r/w 401 Cr.P.C.

5. Hence, this Criminal Revision case is closed with liberty to the petitioner to file a private complaint under Section 200 Cr.P.C and if the trial Court is convinced about the case of the petitioner, police enquiry can also be ordered under Section 202 Cr.P.C., if required.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Judicial Magistrate,
Alandur.
2. The Inspector of Police,
EDF-III, Team-21,
CCB, Chennai.
3. The Public Prosecutor,
High Court, Madras.

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CRL.R.C.No.773 of 2019

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