

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2019

CORAM:

THE HONOURABLE Mr.JUSTICE P.N.PRAKASH

Crl.R.C.No.1396 of 2019

A.S.Sundarambal .. Petitioner
Vs.

1. The Commissioner of Police,
Vepery, Chennai.
2. The Joint Commissioner of Police,
St.Thomas Mount, Chennai.
3. The Inspector of Police,
Pallikaranai Police Station,
Pallikaranai. .. Respondents

Criminal Revision filed under Section 397 (1) r/w 401 Cr.P.C., to set aside the order dated 07.09.2019 passed in C.M.P.No.5950 of 2019 on the file of the Judicial Magistrate Court No.I, Alandur.

For Petitioner : Mr.M.Balaji

For Respondents: Mr.G.Ramar
Government Advocate
(Crl.Side)

O R D E R

This criminal revision has been filed seeking to set aside the order dated 07.09.2019 passed in C.M.P.No.5950 of 2019 on the file of the Judicial Magistrate Court No.I, Alandur.

2. The petitioner filed a private complaint in C.M.P.No.5950 of 2019 under Section 156 (3) Cr.P.C., which has been dismissed by the trial Court on 07.09.2019, challenging which, the petitioner has filed the present revision invoking Section 397 r/w 401 Cr.P.C.

3. In the opinion of this Court, an order under Section 156 (3) Cr.P.C. is not subject to the revisional jurisdiction and hence, this criminal revision is not maintainable.

4. At this juncture, it may be relevant to state here that in Nathan Vs. Vaithinathan & Others¹, this Court has held that the order under Section 156 (3) Cr.P.C. is not revisable under Section 397 (2) Cr.P.C.

In view of the above, this criminal revision is dismissed with liberty to the petitioner to work out his remedy in the manner known to law.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Nsd

To

1. The Judicial Magistrate No.I,
Alandur.
2. Do Thro The Chief Judicial Magistrate,
Tambaram.
3. The Commissioner of Police,
Vepery, Chennai.
4. The Joint Commissioner of Police,
St.Thomas Mount, Chennai.
5. The Inspector of Police,
Pallikaranai Police Station,
Pallikaranai.
6. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.M.Balaji, Advocate, S.R.No. 103446

Cr1.R.C.No.1396 of 2019

EV(CO)
GN(29/01/2020)