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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.12.2019

CORAM :

THE HONOURABLE MR. JUSTICE P.N. PRAKASH

CrI. R.C. No.1397 of 2019

R.Krishnamoorthy

... Revision Petitioner

Vs.

K.S.Suresh

... Respondent

Prayer: Criminal Revision Case filed under Section 397 r/w. 401 Cr.P.C., praying to set aside the order, dated 10.04.2019, passed by the Judicial Magistrate No.I, Gobichettipalayam, in C.M.P.No.998 of 2019.

For Petitioner : Mr.S.Suresh

O R D E R

The petitioner filed C.M.P.No.998 of 2019 under Section 156 (3) Cr.P.C., which has been dismissed by the Judicial Magistrate No.I, Gobichettipalayam, on 10.04.2019, aggrieved by which, the petitioner has filed the present Criminal Revision Case, before this Court, under Section 397 r/w. 401 Cr.P.C.

2.In the opinion of this Court, a revision case against the dismissal of a petition under Section 156(3) Cr.P.C. is not maintainable, in the light of the judgment of the Supreme Court in Nathan v. Vaithinathan [1975 CrI.L.J. Pg.994] and it is always open to the petitioner to file a private complaint before the appropriate Court and establish the allegations against the accused, in the manner known to law.

With the above observations, this Criminal Revision Case is dismissed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar



Copy to :

The Judicial Magistrate No.I,
Gobichettipalayam.

+1cc to Mr.S.Suresh, Advocate Sr.102893

CrI. R.C. No.1397 of 2019

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srg 09/01/2020