

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.03.2020

CORAM:

THE HONOURABLE Mr.JUSTICE P.RAJAMANICKAM

Crl.RC.No.382 of 2020

G.M.Ramesh

... Petitioner

Vs.

The Inspector of Police
F-2, Police Station,
Egmore, Chennai - 8.

... Respondent

PRAYER: Criminal Revision Petition filed under Section 397 and 401 of Cr.P.C, to set aside the order dated 03.12.2019 in CMP No.13327 of 2019 passed by XIV Metropolitan Magistrate at Egmore and direct the respondent police, F-2, Egmore Police Station to register the complaint, investigate and submit report to this Hon'ble Court.

For Petitioner : Mr.D.Arun Kumar

For Respondents : Mr.T.Shunmugarajeswaran
Government Advocate (Crl.Side)

ORDER

This petition has been filed to set aside the order passed by the XIV Metropolitan Magistrate, Egmore in C.M.P.No.13327 of 2019 dated 03.12.2019.

2. The petitioner herein has filed a petition under Section 156(3) Cr.P.C alleging that one accused Annathurai has committed offence punishable under Sections 406,420,465,466,468,471 and 506(i) IPC. The learned Metropolitan Magistrate by the order dated 03.12.2019 has dismissed the said petition. In Priyanka Srivastava and another Vs. State of Uttar Pradesh and others 2016 (1)LW Crl. 106., (2015) 6 SCC 287, the Hon'ble Supreme Court has directed that the applications filed under Section 156 (3) Cr.P.C., are to be supported by an affidavit duly sworn by the applicant who seeks the invocation of the jurisdiction of the Magistrate. But, in this case, it appears that the

complainant has not filed any affidavit in support of his petition which was filed under Section 156(3) Cr.P.C., Hence, this Criminal Revision Case is liable to be dismissed.

3. Accordingly, this Criminal Revision Case is dismissed with liberty to file a fresh petition under Section 156(3) Cr.P.C along with the affidavit. If any such petition is filed, the concerned Magistrate has to consider the said petition and also the averments made in the affidavit and dispose of the same in accordance with law.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

drl

To

1. The Metropolitan Magistrate No.XIV,
Egmore, Chennai.

2. The Inspector of Police
F-2, Police Station,
Egmore, Chennai - 8.

3. The Public Prosecutor,
High Court, Madras.

+2cc to M/s.D.Arunkumar, Advocate Sr.18120

सत्यमेव जयते

Cr1.R.C.No.382 of 2020

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srg 16/07/2020

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