

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2021

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No.1064 of 2020

K.Palayamuthu

... Petitioner

Vs.

The State of Tamilnadu,
Represented by,
The Inspector of Police,
Central Crime Branch,
Vepery,
Chennai – 600 007.

... Respondent

PRAYER: Criminal Revision Petition is filed under Sections 397 & 401 Cr.P.C., praying to set aside the order dated 21.10.2020 passed in Crl.M.P.No.938 of 2020, on the file of the learned Judicial Magistrate No.I, at Alandur and consequently, direct the respondent herein to register the case on the complaint of the petitioner dated 08.07.2020, investigate and file final report in accordance with law for the offence punishable under Sections 120-B, 406, 419, 420, 465, 468 and 471 of IPC., read with Section 34 of Indian Penal Code.

For Petitioner : Mr.T.Sai Krishnan
For Respondent : Mr.C.Iyyappa Raj,
Additional Public Prosecutor

ORDER

This Criminal Revision Petition has been filed to set aside the order, dated 21.10.2020, in Crl.M.P.No.938 of 2020, on the file of the learned Judicial Magistrate No.I, at Alandur.

2. The petitioner filed a petition under Section 156(3) of Cr.P.C., before the learned Judicial Magistrate No.1, Alandur, on 21.09.2020. Thereafter, the same was numbered on 12.10.2020. The case was posted for appearance of the complainant on 14.10.2020, 16.10.2020 and 21.10.2020 and finally it was recorded that there was no representation, the case was dismissed for default on 21.10.2020. Challenging the same, the petitioner has filed the above Revision.

3. The petitioner earlier had lodged a complaint to the Inspector of Police, Central Crime Branch, Veppery, Chennai, seeking registration of the case against the offenders for creation of forged Settlement Deed in Doc.No.5404/2016, dated 21.07.2016. Since there was no action, he filed a petition under Section 156(3) of Cr.P.C., which came to be dismissed for default. The petitioner now filed a Memo, dated 29.01.2021 stating that by a communication, dated 28.01.2021, the respondent Police informed the petitioner that the complaint was closed, since it is a family dispute, civil in nature, to seek the redressal of his grievance through civil Court.

4. The petitioner submits that in view of the communication received from the Inspector of Police, Central Crime Branch, Veppery, Chennai, on 28.01.2021, the above Revision may be disposed of recording the same with liberty to the petitioner to approach the jurisdictional Magistrate, in accordance with law.

5. In view of the closure report of the respondent, dated 28.01.2021, this Criminal Revision Petition stands disposed of giving liberty to the petitioner to take recourse, as per law.

16.02.2021

Index : Yes/No
Internet : Yes/No

MPK

To

1.The Judicial Magistrate No.I,
at Alandur

2.The Inspector of Police,
Central Crime Branch,
Veppery,
Chennai – 600 007.

3.The Public Prosecutor,
High Court, Madras.

M.NIRMAL KUMAR., J.

MPK



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