

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2021

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

CRIMINAL REVISION CASE NO.196 OF 2021

V.S.Vishwanath

... Petitioner

..vs..

1. The Commissioner of Police,
No.62, Old Post Road,
Near Railway Station,
Opp.City Commissioner Office,
Gopalapuram, Coimbatore,
Tamil Nadu - 641 018.

2. The Inspector of Police,
E2 Police Station,
Avinashi, Peelamedu,
Coimbatore, Tamil Nadu - 641 004.

... Respondents

Criminal Revision Case filed under Section 397 and 401 Cr.P.C, to set aside the order dated 10.02.2021 in CrI.M.P.No.8650 of 2020 passed by the Judicial Magistrate No.II, Coimbatore and consequently direct the Judicial Magistrate No.II, Coimbatore to issue summons to the accused persons and proceed the case in accordance with law.

For Petitioner : No appearance
For Respondents : Ms.T.P.Savitha
Government Advocate (Crl.Side)

O R D E R

Today, when the matter is taken up for hearing there is no representation for the petitioner. Ms.T.P.Savitha, learned Government Advocate (Crl.Side) takes notice for the respondents.

2.This Criminal Revision Case has been filed against the order dated 10.02.2021 in CrI.M.P.No.8650 of 2020 on the file of the learned Judicial Magistrate No.II, Coimbatore and consequently to direct the Magistrate to issue summons to the accused persons and proceed with the case in accordance with law.

3. Admittedly, the petitioner filed a petition under Section 156(3) r/w 190 Cr.P.C seeking a direction to direct the respondent police to register the F.I.R as against the proposed accused persons for the offence under Section 406, 420, 120(b), 34 r/w and 506 IPC. After perusal of the records and relevant documents, the learned Magistrate found that the complaint pertains to a loan transaction and thus, taken the complaint under Section 200 Cr.P.C instead of 156 (3) Cr.P.C and passed the following order;

'Record Perused. This Complaint is forwarded to the SHO of Peelamedu Crime PS under Section 202(3) of Cr.P.C. The SHO of E2 Peelamedu Crime PS is hereby directed to investigate the matter and file a detailed report before this Court on or before 10.05.2021.'

Challenging the said docket order, the petitioner is before this Court by way of the present Criminal Revision Case.

4. On going through the impugned Docket order passed by the learned Judicial Magistrate, No.II, Coimbatore, this Court finds that there is no perversity or illegality to interfere with the same. Hence, the Criminal Revision Case is liable to be dismissed. Accordingly, this Criminal Revision Case is dismissed at the admission stage itself.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ms

To

1. The Judicial Magistrate No.II,
Coimbatore.
2. The Commissioner of Police,
No.62, Old Post Road, Near Railway Station,
Opp.City Commissioner Office,
Gopalapuram, Coimbatore,
Tamil Nadu - 641 018.
3. The Inspector of Police,
E2 Police Station,
Avinashi, Peelamedu,
Coimbatore, Tamil Nadu - 641 004.

4. The Public Prosecutor,
High Court, Madras.

Cr1.R.C.No.196 of 2021

RSV(CO)
CS/22/06/2021



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