

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2021

C O R A M

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.No.197 of 2021

Sathish Kumar

... 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

PRAYER: Criminal Revision Case filed under 397 r/w 401 of Cr.P.C. to set aside the order dated 10.02.2021 passed in Crl.M.P.No.8486 of 2020, on the file of the learned Judicial Magistrate No.II, Coimbatore and consequently, direct the learned Judicial Magistrate No.II, Coimbatore to issue summons to the accused persons and proceed the case in accordance with law.

For Petitioner : Mr.A.Arpat Mohammed

For Respondents: Mrs.T.P.Savitha
Government Advocate (Crl.Side)

O R D E R

This Criminal Revision Case has been filed challenging the order passed by the learned Judicial Magistrate No.II, Coimbatore, dated 10.02.2021 passed in Crl.M.P.No.8486 of 2020.

2. The petitioner herein has filed a complaint dated 10.12.2020 before the first respondent-Police and since no action was taken, he approached the learned Judicial Magistrate

No.II, Coimbatore, under Section 156(3) of Cr.P.C. The learned Magistrate, after enquiry on 10.02.2021, gave the following direction:-

"The complaint is forwarded to the SHO of Peelamedu Crime PS under Section 202 (3) of Cr.P.C. The SHO of ES Peelamedu Crime PS is hereby directed to investigate the matter and file a detailed report before this Court on or before 10.05.2021."

It is to be noted that since no action was taken by the first respondent, based on the complaint filed by the petitioner, the learned Judicial Magistrate, has already forwarded the complaint under Section 202 (3) of Cr.P.C. to the second respondent and the second respondent was directed to file a detailed report before the Court on 10.05.2021. However, the petitioner without waiting the time limit fixed by the learned Judicial Magistrate, approached this Court.

3. While exercising the revisional jurisdiction, this Court has to see whether there is any perversity or infirmity in the order passed by the Court below. On a careful perusal of the entire materials on record, this Court does not find any perversity or illegality in the order passed by the learned Judicial Magistrate, as the learned Judicial Magistrate, has already given a direction to the respondent-Police to investigate the matter and file a detailed report on or before 10.05.2021. Further, it is only Interlocutory Application and as against the order passed in the Interlocutory Application, no revision would lie.

4. In view of the above, this Court finds that the revision is not maintainable and accordingly, this Criminal Revision Case is dismissed.

Sd/-

सत्यमेव जयते
Assistant Registrar (CS-V)

//True copy//

Sub Assistant Registrar

r n s

To

1.The Judicial Magistrate No.II,
Coimbatore.

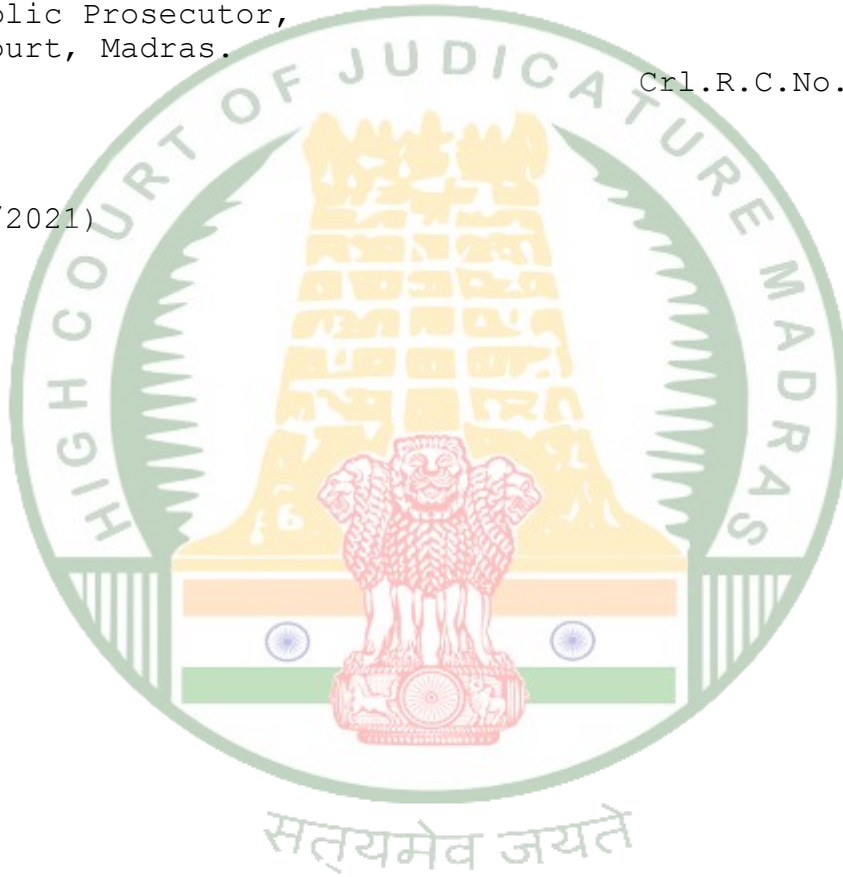
2.The Commissioner of Police,
No.62, Old Post Road, Near Railway Station,
Opp. City Commissioner Office,
Gopalapuram,
Coimbatore, Tamil Nadu - 641 018.

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.197 of 2021

LN (CO)
GMY (05/07/2021)



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