



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2021

CORAM:

THE HON'BLE MR. JUSTICE P.VELMURUGAN

CRIMINAL REVISION CASE NO.585 OF 2021

P.Goverthanan

...Petitioner

Versus

The Inspector of Police,
J-8, Neelankarai Police Station,
Neelankarai, Chennai.

...Respondent

Criminal Revision Case filed under Section 397 read with 401 Criminal Procedure Code, to set aside the order passed in C.M.P.No.1160 of 2021 on the file of the learned Judicial Magistrate No.II, Alandur and to direct the respondent to register the FIR complaint dated 10.07.2021 under Section 120(b), 420, 419, 447, 384 and 506(i) IPC and monitor the investigation.

For Petitioner : Mr.L.Infant Dinesh

For Respondent : Mr.S.Sugendran
Government Advocate (Crl.Side)

O R D E R

This Criminal Revision Case has been filed against the order dated 30.07.2021 passed in C.M.P.No.1160 of 2021 by the learned Judicial Magistrate No.II, Alandur and consequently to direct the respondent police to register the complaint dated 10.07.2021 and monitor the investigation.

2.The petitioner filed a complaint before the respondent police on 10.07.2021 and the same was kept in abeyance. Thereafter, the petitioner filed a petition under Section 156(3) Cr.P.C in C.M.P.No.1160 of 2021 before the learned Judicial Magistrate No.II, Alandur seeking a direction to direct the respondent police to register the case against the accused and investigate the case. By an order dated 30.07.2021, the Court below dismissed the petition stating that there is no prima facie case made out in the petition filed by the petitioner. Challenging the same, the petitioner is before this Court.



3. Heard the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondent and also perused the materials available on record.

4. On a careful perusal of the records this Court finds that the petitioner has made an allegation that the respondent police has not taken action against his complaint and that he filed a petition before the Court below to direct the police to register the case. The petitioner further alleged that he has got sufficient documentary proof to establish his case, the learned Magistrate failed to consider the averments made in the complaint and simply dismissed the petition. The petitioner has got grievance against the respondent police, even if the Court directs the respondent police to register a case, the petitioner cannot expect fair investigation from the police. If the petitioner has got any documentary proof to establish his case, he can straight away file a private complaint before the Competent Court and proceed with the matter in the manner known to law, but, not by way of filing revision to direct the respondent police to register the complaint.

5. With the above direction, this Criminal Revision Case is disposed of.

Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

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To

1. The Judicial Magistrate No.II,
Alandur.

2. The Inspector of Police,
J-8, Neelankarai Police Station,
Neelankarai, Chennai.

3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.L.Infant Dinesh, Advocate SR.No.51815

CrI.R.C.No.585 of 2021

GPL(CO)
RVM(02/11/2021)