



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRL.R.C.NO.808 OF 2019

B.Sivakumar

...Petitioner / Complainant

Vs.

1.S.P.Balasubramanian

2.T.Kavitha

3.D.Sugumaran

...Respondent / Accused

PRAYER: This Criminal Revision is filed under Sections 397 and 401 of Criminal Procedure Code, to set aside the order dated 10.06.2019 passed in C.M.P.No.2868 of 2019 on the file of the learned Judicial Magistrate, Ambattur.

For Petitioner : Mr.V.Sairam

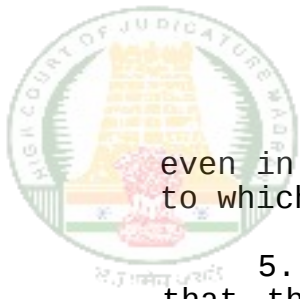
O R D E R

The present criminal revision has been filed to set aside the order dated 10.06.2019 passed in C.M.P.No.2868 of 2019 on the file of the learned Judicial Magistrate, Ambattur.

2. Heard the learned counsel for the petitioner and perused the materials available on record.

3. Despite this Court issued a direction to the petitioner to send notice to the private respondents, he has not taken any steps for the same. However, the learned counsel for the petitioner would submit that the petitioner filed a petition under Section 156(3) of the Criminal Procedure Code, before the learned Judicial Magistrate, Ambattur, to give a direction to the police to register the case. Whereas, the learned Magistrate without giving any direction dismissed the petition as it is a private complaint and therefore, the order of the learned Magistrate is liable to be dismissed.

4. When a party filed a petition under Section 156 (3) of Cr.P.C., before the learned Magistrate, first he has to be satisfied about the nature of complaint given before the police. Even the petitioner has not stated anything about the same and



even in the revision, the petitioner has not impleaded the police to which he has given the complaint.

5. Therefore, under this circumstances, this Court feels that the criminal revision is not maintainable and hence, the same is dismissed.

Sd/-
Assistant Registrar (CS-IX)

// True Copy //

Sub Assistant Registrar

dm

To

1.The Judicial Magistrate,
Ambattur.

Cr1.R.C.No.808 of 2019

NR(CO)
RVM(26/08/2021)