



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2021

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NO.15148 OF 2017

AND

CRL.M.P.NO.9553 OF 2017

Kalaiselvi
D/o.Govindasamy

... Petitioner

Versus

1. S.P.Ravichandran

2. The State Rep. By
The Inspector of Police,
Choladaram Police Station,
Cuddalore District.

... Respondents

PRAYER:- Criminal Original Petition filed under Section 482 of Cr.P.C. to set aside the order of learned District Munsif-cum-Judicial Magistrate, Kattumannarkoil, Cuddalore District in C.M.P.No.5853 of 2016 dated 21.06.2017 referring the private complaint filed by the first respondent for investigation to the second respondent under Section 156(3) of Code of Criminal Procedure.

For Petitioner : Mr.V.Paarthiban

For Respondents : Mr.M.Guruprasad for R1

Mr.S.Vinoth Kumar
Additional Public Prosecutor
For R2

O R D E R

This Criminal Original Petition has been filed challenging the order passed by the learned Judicial Magistrate, Kattumannarkoil, Cuddalore District, forwarding the private complaint under Section 156 of Cr.P.C to the respondent police to proceed in accordance with law.



2. Heard the learned counsel for the petitioner, learned counsel for the first respondent and the learned Additional Public Prosecutor appearing on behalf of second respondent.

3. On a perusal of the order, it is seen that the Magistrate has forwarded the private complaint to the respondent police as per the dictum laid down by the Hon'ble Supreme Court in the case of Lalita Kumari Vs. Government of U.P reported in 2013(6) CTC353 (SC). There cannot be any grievance for the petitioner for mere forwarding of the complaint by the Magistrate to the police to take action as per law. After all the police can proceed against the petitioner only if cognizable offence is made out in the enquiry being conducted by the police.

4. In such view of the matter, the instant criminal original petition is dismissed directing the petitioner to cooperate with the Investigating Officer and appear before the Investigating Officer as and when required. Consequently, connected criminal miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

gpa

To

1. The District Munsif-cum-Judicial Magistrate,
Kattumannarkoil,
Cuddalore District.
2. The Inspector of Police,
Choladaram Police Station,
Cuddalore District.
3. The Public Prosecutor,
Madras High Court,
Chennai.

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.57987

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KSM(CO)
PBS/22/11/2021