



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRL.R.C.NO.1459 OF 2019

Selvan

... Petitioner/
Defacto Complainant

.Vs.

State Represented by
The Inspector of Police,
Uthukuli Police Station,
Tiruppur District.

... Respondent/Complainant

PRAYER:-

The Criminal Revisions filed under Section 397 read with 401 of Code of Criminal Procedure seeking to set aside the order passed in RCS No.7 of 2019 unnumbered CMP.No./2019 on the file of the learned Judicial Magistrate, Avinashi dated 24.04.2019.

For Petitioner : Mr.K.Murugesan
No Appearance

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

ORDER

This criminal revision has been filed against the dismissal of complaint filed by the petitioner.

2. When the matter is called for hearing there is no representation on behalf of the petitioner. Since the matter is pending from the year 2019 without any progress, this Court is inclined to dispose of the matter on merits and accordingly carefully perused the materials available on record.

3. On a perusal of the records it shows that the petitioner has filed complaint before the respondent police, which was came to be registered Crime No.260 of 2017 for the offence under



Section 338 of IPC. After investigation, the respondent police has filed a referred charges sheet before the learned Judicial Magistrate, Avinashi. On receipt of the referred charge sheet, the learned Magistrate ordered notice and the petitioner/complainant has also appeared before the Magistrate and filed his objections.

4. The learned Magistrate after considering the objections filed by the petitioner/complainant, being satisfied with the reasons stated in the referred charge sheet, closed the complaint as mistake of fact.

5. It is seen that the learned Magistrate after considering the referred charge sheet, since did not find any prima facie case, has closed the complaint. The materials also does not show that there is prima facie case to proceed the case further. Hence this Court does not find any reason to interfere with the order of dismissal of the complaint.

6. Accordingly, this criminal revision stands dismissed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

cgi

To

1. The Judicial Magistrate,
Avinashi.
2. The Inspector of Police,
Uthukuli Police Station,
Tiruppur District.
3. The Public Prosecutor,
High Court of Madras.

CRL.R.C.NO.1459 OF 2019

NR(CO)
PBS/28/09/2021