



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C.No.535 of 2022

Jahufar Sathik

... Appellant/Petitioner

Versus

1. The Commissioner of Police,  
Avadi, Chennai - 600 054.
2. The Deputy Commissioner of Police,  
Avadi, Chennai- 600 054.
3. The Inspector of Police,  
T-2, Ambattur Industrial Estate Police Station,  
Chennai - 600 058

... Respondents/Respondents

Prayer : Criminal Revision Petition filed u/s. 397 read with 401 of Cr.P.C to set aside the order dated 31.03.2022 passed by the learned judicial Magistrate, Ambattur in C.M.P.No.834 of 2022 and direct the Respondents to register the complaint dated 21.02.2022.

For Appellant : Mr. S.Suresh

For Respondents : Mr.S.Vinoth Kumar,  
Government Advocate (Crl.Side)

#### JUDGMENT

This Criminal Revision is filed aggrieved by the order of the learned Judicial Magistrate, Ambattur dated 31.03.2022 in C.M.P.No.834 of 2022, in and by which, the petitioners prayer to refer his complaint dated 21.02.2022 to register a case and investigate thereon is refused by the learned Judicial Magistrate.

2. On a perusal of the order challenged in this revision, it is clear that the Investigating Officer has refused to register



a First Information Report and therefore by following the procedure under Section 154 of Code of Criminal Procedure ie., to send the petitioner to the higher official, an application under Section 156(3) is filed but however, the same is rejected on the ground that already closure report is filed and then the petitioner is to file only a protest petition.

3. There is no First Information Report was registered on the earlier occasion and therefore there is no question of filing any closure report or the petitioner filing protest petition in this regard. It is a simple case of the Investigating Officer refusing to register the First Information Report and therefore after following the procedure under Section 154 of Code of Criminal Procedure, the petition is filed.

4. In that view of the matter, since the complaint of the petitioner prima facie discloses the commission of cognizable offences, the complaint of the petitioner dated 21.02.2022 is referred to the respondent Police with a direction to register a case and investigate the matter in accordance with law.

5. Accordingly, this Criminal Revision is ordered.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sma

To

1. The Judicial Magistrate,  
Ambattur.
2. The Commissioner of Police,  
Avadi, Chennai - 600 054.
3. The Deputy Commissioner of Police,  
Avadi, Chennai- 600 054.
4. The Inspector of Police,  
T-2, Ambattur Industrial Estate Police Station,  
Chennai - 600 058



5. The Public Prosecutor,  
Madras High Court.

WEB COPY

+1cc to Mr.Suresh, Advocate, S.R.No.38190

Cr1.R.C.No.535 of 2022

MG (CO)  
UMA (05/07/2022)