



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C.No.731 of 2022

S.Gnanavelu

... Petitioner

Versus

1. The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam,
Ranipet District.

2. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Arakkonam.

3. G.Kalpana

... Respondents

Prayer: Criminal Revision Case filed under Section 397 read with 401 Cr.P.C, to call for the entire records in pursuant to the C.M.P.No.2796 of 2021 on the file of the learned Judicial Magistrate, Arakkonam, Vellore District vide order, dated 17.03.2022 and set aside the same.

For Petitioner : Mr.M.Sathish Kumar

For Respondents : Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)
for RR-1 and 2

O R D E R

This Revision is filed against the order of the learned Judicial Magistrate, Arakkonam in Crl.M.P.No.2796 of 2021 in and by which the application filed by the petitioner for recording the complaint under Section 156(3) of Cr.P.C., to investigate and file a Final Report, is rejected by the learned Magistrate.

2. A perusal of the order, dated 17.03.2022 reads as follows:-



"Report filed by Inspector of Police, Town Police Station. Hence CMP is closed."

From that, it can be understood that the learned Magistrate has called for a report from the concerned Police. But, however, no reason, whatsoever, has been given as to whether any offence is made out or not and on what reasons the petitioner's application is being rejected.

3. In that view of the matter, the order, impugned in this Revision, dated 17.03.2022, is not sustainable and accordingly, this Revision Case is allowed on the following terms:-

(I) the order of the learned Judicial Magistrate, Arakkonam, Vellore District in C.M.P.No.2796 of 2021, dated 17.03.2022 is set aside;

(ii) C.M.P.No.2796 of 2021 is remanded back to the file of the Magistrate Court, Arakkonam, to be considered on merits and to pass fresh orders in accordance with law, in any event, not later than the period of four weeks from the date of receipt of the copy of the order.

Sd/-

Assistant Registrar(CS-VIII)

//True Copy//

Sub Assistant Registrar

grs

To

1. The Judicial Magistrate,
Arakkonam, Vellore District.
2. The Inspector of Police,
Arakkonam Town Police Station,
Arakkonam,
Ranipet District.
3. The Deputy Superintendent of Police,
Office of the Deputy Superintendent of Police,
Arakkonam.
4. The Public Prosecutor,
High Court of Madras.

+1cc to Mr.M.Sathish Kumar, Advocate, S.R.No.36408

Cr1.R.C.No.731 of 2022

SSI(CO)

UMA(29/06/2022)