

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.764 OF 2022

AND

CRL.M.P.NO.7780 OF 2022

1. N.Sathish
2. S.Natarajan
3. N.Santhakumari
4. N.Rajesh

... Petitioners

Versus

1. S.Jaya Shree
2. Inspector of Police,
Manimangalam Police Station,
Tambaram Police Commissionarate,
Tambaram.

... Respondents

Prayer: Criminal Revision Case is filed under Sections 397, 398 and 399 r/w. 401 of Cr.P.C., as amended against the order of Judicial Magistrate-II, at Tambaram on 30.05.2022 in the above Criminal Crime No.3127 of 2022.

For Petitioner : M/s.M.Udaya Bhanu

For Respondent : No Appearance

ORDER

This Criminal Miscellaneous Petition is filed against the order of Judicial Magistrate-II, at Tambaram on 30.05.2022 in the above Criminal Crime No.3127 of 2022.

2. Heard the learned Counsel for the petitioner.

3. This revision is filed by the proposed accused, challenging the order of the learned Magistrate referring the

complaint under Section 156(3) Cr.P.C. The proposed accused does not have a right of hearing on the pre-investigation stage and even if according to the accused, the complaint is vexatious or an abuse of process or without any evidence, the remedy is only challenging the First Information Report, if at all registered by the respondent/police. Challenge to the order of the learned Magistrate, referring the complaint under Section 156 (3) Cr.P.C., is not maintainable.

4. Therefore, with the above observations, this Criminal Revision Case is dismissed as without any merits. Consequently connected criminal miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

ssn

To

1. The Judicial Magistrate-II,
Tambaram.
2. The Inspector of Police,
Manimangalam Police Station,
Tambaram Police Commissionarate,
Tambaram.
3. The Public Prosecutor,
High Court of Madras.

+2ccs to M/s.M.Udaya Bhanu, Advocate, S.R.No.38077

Cr1.R.C.No.764 of 2022
and
Cr1.M.P.No.7780 of 2022

PL(CO)
RLP(12/07/2022)