



Crl.R.C.868 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C.No.868 of 2022

K.Kanagajothi

... Petitioner

Versus

1.The Superintendent of Police,
Sathuvachari.
Vellore, Vellore District.

2.The Inspector of Police,
Latheri Police Station,
Vellore District.

3.Ravi Chandran
Chairman,
K.V.Kuppam Panchayat Union,
K.V.Kuppam Taluk,
Vellore District.

4.Venkatesan

5.Ashokan

6.Sivanantham

7.Sugumar

8.Arumugam

... Respondents



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Prayer: Criminal Revision Case filed under Section 397 & 401 Cr.P.C, to set aside the order of the dismissal of the complaint in C.M.P.No.880 of 2022 on the file of Judicial Magistrate, Katpadi vide order dated 21.06.2022 and consequently direct the 2nd respondent to register the FIR based on the complaint of the petitioner dated 11.04.2022.

For Petitioner : Mr.M.Sathish Kumar

For Respondent : Mr.S.Vinoth Kumar,
Nos.1 & 2 Government Advocate (Crl.Side)

ORDER

This revision is filed aggrieved by the order of the Judicial Magistrate, Katpadi, dated 21.06.2022, in C.M.P.No.880 of 2022, in and by which, the Judicial Magistrate has refused the prayer of the petitioner to refer their complaint dated 11.04.2022 for investigation under Section 156 (3) Cr.P.C.

2.A perusal of the complaint reveals that in violation of the directions issued in the peace committee meeting, a rival party had gone ahead and celebrated the festival, which can, at best be an action of disobedience of the order of the Public Servant under Section 188 IPC, for which, only the Public Servant has to file a private complaint and no FIR can be registered. No other cognizable offence is made out in the complaint of the petitioner.

Therefore, the trial Court is right in rejecting the prayer of the petitioner



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and as such, this revision is without any merits and it is dismissed.

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3. Accordingly, this revision is dismissed.

08.07.2022

Index : Yes/No

Internet: Yes /No

Speaking/Non-speaking order

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To

1. The Superintendent of Police,
Sathuvachari.
Vellore, Vellore District.

2. The Inspector of Police,
Latheri Police Station,
Vellore District.

3. The Judicial Magistrate Court,
Katpadi.

4. The Public Prosecutor,
High Court, Madras.



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D.BHARATHA CHAKRAVARTHY, J.

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