



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2022

CORAM:

THE HON'BLE Mr. JUSTICE N.SESHASAYEE

Criminal Revision Case No.1061 of 2021
and
Crl.M.P.No.13779 of 2021

S.Rameshraj

... Petitioner/Accused

Versus

1. The Commissioner of Police
Vepery, Chennai - 600 007

2. The Inspector of Police,
K-10, Koyambedu Police Station,
Chennai

3. Balaji

... Respondents/Defacto Complainant

Criminal Revision Case filed under Sections 401 r/w 397 of Criminal Procedure Code, to call for the entire records in respect of the judgment rendered by learned V Metropolitan Magistrate Court in Cr.M.P.No.11183/2021 dated 08.10.2021 and to set aside the same.

For Petitioner : Mr.M.Leo Prabhu

For Respondents : Mr.Leonard Arul
Joseph Selvam for R1 and R2
Government Advocate (Crl.Side)
No appearance for R3

O R D E R

This Revision has been filed to call for the entire records in respect of the judgment rendered by learned V Metropolitan Magistrate Court in Cr.M.P.No.11183/2021 dated 08.10.2021 and to set aside the same.

2.The revision petitioner herein has been arrayed as accused in the private complaint preferred by the third respondent in Crl.M.P.No.11183 of 2021 before the V Metropolitan Magistrate



Court, Chennai. The learned Magistrate has directed the matter under Section 156(3) of Cr.P/C to the respondent Police. This revision is directed against the said order of the learned Magistrate.

3. Learned counsel for the revision petitioner submitted that the matter is purely of civil nature and no crime is disclosed even going by the complaint.

4. Learned counsel for the third respondent has not appeared today.

5. This Court heard the learned Government Advocate (Crl.Side) for R1 and R2. It is not the matter whether the Magistrate has even chosen to take cognizance of the allegations made in the complaint, but has clearly directed the investigating agency to enquire into the same. Hence, this Court considered that, prima facie there is nothing over which the revision petitioner can feel aggrieved about.

6. At this juncture, learned counsel for the revision petitioner has admitted that the investigating agency has also conducted enquiry, but only needs to communicate the result of the enquiry to the learned Magistrate.

7. Learned Government Advocate (Crl.Side) submitted that the action has been taken by the respondent and based on such enquiry, it would be intimated to the concerned Magistrate within a period of 15 days from today (15.02.2022).

8. The said submission of the learned Government Advocate (Crl.Side) is recorded.

9. This Court, therefore directs the respondents No.1 and 2 either jointly or severally to file the status report of the enquiry conducted by them based on the order passed by the learned Magistrate under Section 156(3) of Cr.P.C.

10. With the above directions, the Criminal Revision Case is disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

msv



To

1. The V Metropolitan Magistrate Court,
Chennai
2. The Commissioner of Police
Vepery, Chennai - 600 007
3. The Inspector of Police,
K-10, Koyambedu Police Station,
Chennai
4. The Public Prosecutor,
High Court, Madras.

+lcc to Mr.Leo Prabhu, Advocate, S.R.No.9590

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and Crl.M.P.No.13779 of 2021

SR-II (CO)
SU(03/03/2022)