



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.03.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C. (MD) No.192 of 2022

WEB COPY

T.Ramesh

... Petitioner/ Petitioner

Vs.

1.S.Rajesh
2.Kanthamari
3.Shanmugasundaram
4.Kannan
5.Nambi

... Respondents/Respondents

PRAYER: Criminal Revision Case filed under Section 397 r/w and 401 Cr.P.C., to call for the records in pertaining to the order of the learned Judicial Magistrate No. 1, Tirunelveli, dated 12.11.2021 made in Crl.M.P.No. 8719 of 2021 and set aside the same.

For Petitioner : Mr.K.Anandraj

ORDER

This Criminal Revision Case has been filed to set aside the order passed by the learned Judicial Magistrate No. 1, Tirunelveli, dated 12.11.2021 made in Crl.M.P.No. 8719 of 2021.

2. A perusal of the order passed by the learned Magistrate revealed that the petitioner without complying the procedure as contemplated under Sections 154(1) and 154(3) Cr.P.C, directly approached the Magistrate for direction under Section 156(3) Cr.P.C.

3. On perusal of the complaint lodged by the petitioner, the petitioner failed to mention that he already lodged the complaint before the concerned Judicial Magistrate and also failed to implead the jurisdictional Police before the learned Judicial Magistrate, while seeking a direction under Section 156 (3) Cr.P.C. Therefore, the learned Magistrate has rightly dismissed the complaint and this Court finds no infirmity or illegality in the order passed by the learned Judicial Magistrate No. 1, Tirunelveli.



4. Accordingly, this Criminal Revision Case is dismissed, with the liberty to the petitioner to lodge a fresh complaint before the jurisdictional Police.

Sd/-

Assistant Registrar (Protocol)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

Note :In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

The Judicial Magistrate NO.1,
Tirunelveli.

Crl.R.C.(MD) No.192 of 2022
01.03.2022

_RD(22.03.2022) 2P 2C