



Crl.R.C.No.1502 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R. HEMALATHA**

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N.Janardhanan

... Petitioner

Mayiladuthurai Town Police

Vs.

1.S.Allirani

2.Dinakaran

3.S.Anjulakshmi

4.Chithra

... Respondent

Prayer : Criminal Revision filed under Section 397 r/w. 401 of Criminal Procedure Code to set aside the order in Crl.M.P.No.79/2023 in C.C.No.174/2019 on the file of the learned Judicial Magistrate No.1, Mayiladuthurai.

For petitioner : N.Janardhanan (Party in person)



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ORDER

Challenge in this criminal revision case is made to the orders dated 05.05.2023 in Crl.M.P.No.79/2023 in C.C.No.174/2019 passed by the learned Judicial Magistrate No.1, Mayiladuthurai.

2.The revision petitioner is the defacto complainant in C.C.No.174/2019 on the file of the learned Judicial Magistrate No.1, Mayiladuthurai. He lodged a complaint with the Sub Inspector of Police, Mayiladuthurai Town Police Station, based on which, an FIR was registered in Crime No.738/2018 for the offences punishable under Sections 406 and 420 IPC. After completion of investigation, the Sub Inspector of Police, Mayiladuthurai Town Police Station filed a final report in C.C.No.174/2019 against the accused for the offences punishable under Section 406, 420 IPC. In the meanwhile, the revision petitioner filed a private complaint under Section 200 Cr.P.C. with the very same averments made in his police complaint and filed a petition under Section 210 Cr.P.C. in Crl.M.P.No.79/2023 before the Judicial



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Magistrate No.1, Mayiladuthurai seeking

- i. to permit him to mark certain documents in C.C.No.174/2019 and
- ii. to conduct trial in his private complaint jointly with C.C.No.174/2019.

Learned Judicial Magistrate No.1, Mayiladuthurai dismissed the said petition on the grounds that

- i. the private complaint filed by the present revision petitioner has not been taken on file.
- ii. If the petitioner wants to mark the documents filed along with his private complaint, he can do so by way of filing an appropriate application.

3.It is seen from the records that the trial court had not straightaway rejected the petition filed by the revision petitioner. However, the revision petitioner (Party in Person) insisted this Court to pass an order directing the Magistrate to allow the revision petition to mark the documents, which were filed along with his private complaint. Since the Magistrate had passed an order directing him to file an



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appropriate petition to mark the documents in C.C.No.174/2019, I do not see any reason to give any such direction to the concerned Magistrate.

4. Accordingly, the Criminal Revision is dismissed. The orders dated 05.05.2023 in Crl.M.P.No.79/2023 in C.C.No.174/2019 passed by the learned Judicial Magistrate No.1, Mayiladuthurai, is confirmed.

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Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
mtl

To

1. The Judicial Magistrate No.1, Mayiladuthurai.



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R. HEMALATHA, J.
mtl

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