



WEB COPY



CrI.O.P.No.29392 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.29392 of 2022

P.Vasumathi

...Petitioners

vs.

1.The Deputy Commissioner of Police [CCB-III]
Chennai Commissioner Office,
Vepery, Chennai 600 007.

2.M.R.Jayasekar

[*** The 2nd respondent was impleaded as per the order passed by this Court in CrI.M.P.No.4357 of 2023 in CrI.O.P.No.29392 of 2022 dated 03.04.2023.]

...Respondents

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to CMP.No.14734 of 2022 on the file of the learned CB CID SPL Metropolitan Magistrate Court, Egmore, Chennai and set aside the order dated 04.08.2022 and direct the respondent police to conduct enquiry and register an FIR against the accused.



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For Petitioners : Mr.R.Raghavel
For Respondents : Mr.A.Gopinath,
Government Advocate, for R1

ORDER

The subject matter of challenge in the present petition pertains to the order passed by the learned CB CID SPL Metropolitan Magistrate Court, Egmore, Chennai dismissing the application filed under Section 156(3) of CrPC.

2. In the considered view of this Court, the dismissal of the application filed under Section 156(3) of CrPC cannot be challenged under Section 482 of CrPC and only a revision petition is maintainable.

3. In view of the same, this criminal original petition is dismissed as not maintainable and it is left open to the petitioner to work out his remedy in the manner known to law.

08.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
nsa



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N. ANAND VENKATESH, J.

nsa

To

The CB CID SPL Metropolitan Magistrate Court,
Egmore, Chennai

CrI.O.P No.29392 of 2022

08.08.2023