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Crl.R.C.No.1852 of 2023

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2023

CORAM:

THE HON'BLE MR.JUSTICE **M. NIRMAL KUMAR**

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- 1.Ravisankar
- 2.Parthasarathy
- 3.Jayanthi
- 4.Rajasekar
- 5.Bharathi
- 6.Rajesh @ Ramesh

... Petitioners

Vs.

- 1.State Rep by
The SHO,
All Women Police Station,
Villianur, Puducherry.

- 2.Priyanka

... Respondents

PRAYER: Criminal Revision Case has been filed under Sections 397 and 401 of Code of Criminal Procedure, pleaded to call for the entire records pertaining to the order passed in Crl.M.P.No.1677/2023 dated 02.03.2023 on the file of the learned Chief Judicial Magistrate at Puducherry and set aside the same as illegal and arbitrary.



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For Petitioners : Mr.A.Madhan

For Respondent-1 : Mr.K.S.Mohandass
Public Prosecutor (Pondicherry)
Assisted by
Mr.A.Alexander

ORDER

This petition has been filed to call for the entire records pertaining to the order passed in Crl.M.P.No.1677/2023 dated 02.03.2023 on the file of the learned Chief Judicial Magistrate, Puducherry and set aside the same as illegal and arbitrary.

2.The petitioners, who are the accused in Crime No.5 of 2023, filed this revision challenging the order passed by the learned Chief Judicial Magistrate, Puducherry in Crl.M.P.No.1677 of 2023 dated 02.03.2023 directing the All Women Police Station, Villiyanur, Pondicherry to register a case and investigate on the complaint of second respondent herein.

3.The contention of the petitioners is that the learned Chief Judicial Magistrate not followed the judgment and directions of the Hon'ble Apex Court while forwarding a petition under Section 156(3) of Cr.P.C. The



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learned Magistrate without any application of mind passed this order, challenging the same the present revision has been filed.

4.The learned Public Prosecutor (Pondicherry) on the contrary objected to the same and submitted that pursuant to the order passed by the learned Chief Judicial Magistrate, an F.I.R. in Crime No.5 of 2023 registered on 07.03.2023 by the first respondent police. Further submitted that in this case there are totally six accused. The second respondent is the wife of the first petitioner and other petitioners are her in-laws. The second respondent in her complaint categorically stated about the harassment, demand of dowry and the cruelty subjected to her at the hands of the petitioners herein. On satisfied with the same, learned Chief Judicial Magistrate forwarded the complaint under Section 156(3) of Cr.P.C. to the respondent police. The respondent police on the directions, registered the F.I.R. Immediately on registering the F.I.R., the petitioners approached this Court for anticipatory bail in Crl.O.P.No.6128 of 2023. This Court, by an order dated 12.04.2023, granted anticipatory bail to the petitioners with certain conditions. Thereafter, the petitioners complied with the conditions, appeared before the respondent police and the investigation is in progress. He further submitted that after some time, the petitioners also filed a relaxation petition in Crl.M.P.No.7421



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of 2023 in Crl.O.P.No.6128 of 2023 seeking relaxation of the condition imposed. This Court, by an order dated 26.05.2023, relaxed the condition.

The petitioners having complied with the condition, submitted to the registration of the case, approached this Court as well as participated in the investigation, now cannot make turn around and question the very basis of the order of the learned Chief Judicial Magistrate in forwarding the complaint. Hence, strongly opposed this petition.

5.Considering the facts and circumstances of the case, this Court finds no merits in the petition as well as in the petitioners' submission. Hence, the Criminal Revision Case is dismissed.

15.11.2023

Index: Yes/No

Internet : Yes/No

Speaking order / Non-speaking order

rsi



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To
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- 1.The Station House Officer,
All Women Police Station,
Villiyannur, Puducherry.
- 2.The Chief Judicial Magistrate
Puducherry.
- 3.The Public Prosecutor,
High Court, Madras.



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M. NIRMAL KUMAR, J.

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