



WEB COPY



Crl.R.C.No.1793 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2023

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.R.C.No.1793 of 2023

T.R.Hari hara Shridharan
S/o.T.V.Rajendhiran

... Appellant

Vs.

1. R.Nagaraj
2. N.Kumaran
3. Viswanathan

... Respondents

Prayer : Criminal Revision Case filed under Section 397 read with 401 of Cr.P.C., to set aside the order in Crl.M.P.No.2051 of 2023 dated 01.08.2023 passed by the learned Judicial Magistrate Vaniyambadi, Thirupathur District.

For Petitioner : Mr.S.Suresh

ORDER

This petition has been filed to set aside the order passed by the learned Judicial Magistrate Vaniyambadi, Thirupathur District in Crl.M.P.No.2051 of 2023 dated 01.08.2023.



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2. The petitioner had preferred a complaint to the Sub-Inspector of Police, Vaniyambadi on 02.03.2023 and a CSR number has been assigned as CSR No.123 of 2023. Thereafter, the petitioner sent a copy of the complaint to the superior officer viz., Superintendent of Police, Thirupathur. Since no action was taken by the respondent police, the petitioner filed a petition under Section 156(3) of Cr.P.C before the Judicial Magistrate, Vaniyambadi, Thirupathur, seeking a direction to take the complaint on file by the respondent Police.

3. Thereafter, the petitioner was called by the respondent police on 25.05.2023. Statement recorded and a report has been filed before the learned Judicial Magistrate, Vaniyambadi. As per the statement, according to the petitioner cognizable offence has been made out. However, the learned Judicial Magistrate failed to pass appropriate orders and direction, instead dismissed the petition with liberty to the petitioner to file a private complaint under Section 200 Cr.P.C.



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4. Heard the submissions and perused the materials available on record.

5. On perusal of the statement and the materials placed before this Court, this Court finds no reason to interfere with the impugned order and the Lower Court has rightly directed the petitioner to file a private complaint under Section 200 Cr.P.C. Hence, the petitioner is at liberty to file a private complaint under Section 200 Cr.Pc.

Accordingly, this Criminal Revision Case stands disposed of.

01.11.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation: Yes/No
mp
To
1. The learned Judicial Magistrate,
Vaniyambadi.
2.



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M.NIRMAL KUMAR, J.

mp

To

- 1.The learned Sessions Judge, Special Court for Exclusive Trail of Cases
under Pocso Act, Villupuram.
2. The Deputy Superintendent of Police,
Villupuram District, Villupuram.
3. The Inspector of Police,
All Women Police Station,
Villupuram.
- 4.The Public Prosecutor,
High Court, Madras.
- 5.The Superintendent,
District Jail, Villupuram.

Crl.A.No.1136 of 2023

01.11.2023