



Crl. R.C.(MD)No.247 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATE : 20.03.2023

CORAM

The Hon`ble Mr.Justice K.MURALI SHANKAR

Crl.R.C.(MD)No.247 of 2023

Vasantha

.. Petitioner

Vs.

The Sub-Inspector of Police,
Manavalakurichi Police Station,
Manavalakurichi Post,
Kanyakumari District.

.. Respondent

Prayer : This criminal revision case is filed under Section 397 r/w. Section 401 of Cr.P.C., to call for the records relating to the order made in Crl.M.P.No.1775 of 2021 on the file of the learned Judicial Magistrate, Eraniel, dated 13.12.2021 and set aside the same.

For Petitioner : Mr.T.Antony Arul Raj

For Respondent : Mr.A.Albert James,
Government Advocate (Criminal Side)

ORDER

The Criminal Revision Case is directed against the order passed in Crl.M.P.No.1775 of 2021 on the file of the learned Judicial Magistrate, Eraniel, dated 13.12.2021.



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2. It is seen from the records that the petitioner has preferred a petition under Section 156(3) Cr.P.C., before the learned Judicial Magistrate, Eraniel and the learned Judicial Magistrate has forwarded the same to the Inspector of Police, Manavalakurichi Police Station, directing him to conduct enquiry and submit a report. In pursuance of the same, the jurisdictional Inspector of Police has conducted enquiry and submitted a report stating that there existed civil dispute between the parties and that the petitioner has lodged a complaint exaggerating the wordy quarrel that arose between the parties. The learned Magistrate, after pursuing the report and the petition submitted by the petitioner, by observing that the civil dispute is pending between the petitioner and the respondent and in the report, it has been stated that the petitioner has exaggerated the occurrence, closed the petition. Aggrieved by the said closure of the petition, the petitioner has filed the present revision.

3. The learned counsel for the petitioner would submit that since there was no action on the part of the jurisdictional Police, he sent the complaint to the Superintendent of Police, Nagercoil and in pursuance of the directions of the Superintendent of Police, the Inspector of Police attached to the control room had conducted an enquiry and gave his report



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that the petitioner was affected by the conduct of the respondent and he has also produced the copy of the report received under Right to Information Act, was closed the complaint.

4. At this juncture, this Court is not inclined to go into the contradictory report submitted by the Police officials. If the petitioner is still aggrieved, he can very well prefer a private complaint before the jurisdictional Court and hence, the closure of the petition filed under Section 156(3) Cr.P.C cannot be found fault with. Hence, this Court concludes that the Criminal Revision is devoid of merit and the same is liable to be dismissed. Accordingly, the Criminal Revision is dismissed. However, the petitioner is at liberty to file a private complaint, if so advised.

20.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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K.MURALI SHANKAR,J.

das

To

- 1.The Judicial Magistrate, Eraniel.
- 2.The Sub-Inspector of Police,
Manavalakurichi Police Station,
Manavalakurichi Post, Kanyakumari District.
- 3.The Section Officer, Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.R.C.(MD)No.247 of 2023

20.03.2023