



Crl.R.C.(MD)No.272 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.03.2023

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.272 of 2023

Abdulkadhar

... Petitioner/
Complainant

Vs.

1.Bayilvan @ Selvaraj

2.Nayinar

3.Santhosh Kumar

4.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi.

... Respondents/
Respondents

PRAYER : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to the Crl.M.P.No.320 of 2023 on the file of the learned Judicial Magistrate Court, Tenkasi and to set aside the impugned order passed in Crl.M.P.No.320 of 2023 dated 20.01.2023 and consequently direct the fourth respondent to register the complaint dated 30.11.2022.

For Petitioner : Mr.C.M.Arumugam

For R4 : Mr.SS.Madhavan
Government Advocate (Crl. Side)



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ORDER

The above Criminal Revision Petition has been filed seeking orders to call for the records pertaining to Crl.M.P.No.320 of 2023 on the file of the learned Judicial Magistrate Court, Tenkasi and to set aside the impugned order passed in Crl.M.P.No.320 of 2023 dated 20.01.2023 and consequently direct the fourth respondent to register the complaint dated 30.11.2022.

2. The revision petitioner/complainant has filed a petition under Section 156(3) Cr.P.C. seeking direction for registration of an FIR. The learned Magistrate, after perusing the complaint and other materials available, has dismissed the complaint.

3. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) appearing for the fourth respondent would submit that the complaint sent by the petitioner to the Superintendent of Police was forwarded to the fourth respondent and both the parties appeared before the fourth respondent and legal opinion



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was sought from the Public Prosecutor and on that basis, the complaint was ordered to be closed.

4. In view of the above, the fourth respondent is directed to issue summons to the concerned parties to appear before them and on receipt of the summons, both the parties are directed to appear before the fourth respondent and on such appearance, the fourth respondent is directed to conduct the enquiry by following the judgment of the Hon'ble Supreme Court in *Lalita Kumari Vs. Government of Uttar Pradesh and Others* reported in *(2014) 2 SCC 1* and pass orders within a period of ten days from the date of receipt of a copy of this order.

5. With the above directions, this Criminal Revision Petition stands disposed of.

09.03.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

Note : Issue order copy on 14.03.2023



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K.MURALI SHANKAR,J.

csn

To

- 1.The Inspector of Police,
Kadayanallur Police Station,
Tenkasi.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
Crl.R.C.(MD)No.272 of 2023

Dated: 09.03.2023