



WEB COPY



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P No.1947 of 2024
and CRL.M.P No.1399 of 2024

S.Puithraj

...Petitioner

Vs.

1.The Station House Officer,
Reddiarpalayam Police Station,
Puducherry.

2.Tmt.Bhuvaneswari

...Respondents

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to quash order dated 19.12.2023 in Crl.M.P.No 1643 of 2023 passed by the Principal Sessions Judge, Puducherry.

For Petitioner : Mr.V.Sakkarapani

For Respondent : Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This criminal original petition has been filed challenging the order passed by the Court below in Crl.M.P.No.1643 of 2023 dated 19.12.202, allowing an



application filed by the defacto complainant under Section 156(3) of Cr.P.C.,
and directing the police to register an FIR.

2. Heard the learned counsel for the petitioner and the learned Public Prosecutor (Puducherry) appearing on behalf of the 1st respondent.

3. In the considered view of this Court, there is no necessity for the Court below to give an opportunity to the petitioner before ordering the application filed under Section 156(3) of Cr.P.C. If ultimately, an FIR is registered pursuant to the said order and according to the petitioner, no offence has been made out against him, it will be left open to the petitioner to challenge the FIR. Except giving this clarity, this Court does not find any grounds to interfere with the order passed by the Court below

4. In the result, this criminal original petition stands dismissed.
Consequently, connected miscellaneous petition is closed.

06.02.2024

Index: Yes/No
Speaking order/Non-speaking Order
SSR



WEB COPY

- 1.The Principal Sessions Judge, Puducherry.
- 2.The Station House Officer,
Reddiarpalayam Police Station,
Puducherry.
- 3.The Public Prosecutor,
High Court, Madras.



WEB COPY



N.ANAND VENKATESH, J

SSR

CRL.O.P No.1947 of 2024
and CRL.M.P No.1399 of 2024

06.02.2024