



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.07.2024

CORAM:
THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

Crl.RC.No.504 of 2022

A.Jenifer Sandhiya

...Petitioner

Vs.

1. The Commissioner of Police,
Avadi, Chennai.

2. The Inspector of Police,
All Women Police Station, Indrani Nagar,
Poonamallee, Chennai – 600 056.

...Respondents

Prayer: Petition filed under Section 401 of Code of Criminal Procedure to set aside the order of Judicial Magistrate No.I, at Poonamallee in CMP.No.144 of 2021 order dated 11.03.2022 and further direct the 2nd respondent to register the complaint dated 17.08.2021 filed by the petitioner and investigate the case and file final report.

For Petitioner : Mr.S.Ramajayam

For Respondents : Mr.A.Gopinath, GA (Crl.Side)

ORDER

The present criminal revision has been filed to set aside the order passed by the Judicial Magistrate No.I, at Poonamallee in CMP.No.144 of



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2021 order dated 11.03.2022 and to consequently direct the second respondent to register the complaint dated 17.08.2021 filed by the petitioner and investigate the case and file final report.

2. According to the petitioner, she made a complaint before the respondent Police as against her husband and her in-laws. Though the complaint was given by the petitioner, the Police officials have not registered the FIR u/s.154(1) of Cr.P.C. Thereby, the petitioner filed a petition u/s.156(3) of Cr.P.C seeking to direct the respondents to register the FIR against the petitioner's husband and her in-laws before the Judicial Magistrate No.I, Poonamallee in CMP.No.144 of 2021 and the same was dismissed vide order dated 11.03.2022 on the ground that no cognizable offence has been made out in the complaint given by the petitioner. Challenging the same, the petitioner has filed the present petition seeking the aforesaid relief.

3. The learned counsel for the petitioner submitted that the petitioner's parents gave 21 Sovereign jewels and things worth about 3.5 Lakh as dowry



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to the petitioner's husband and a domestic violence case in D.V.C.No.16 of 2021 is also pending against the petitioner's husband and their in-laws on the file of learned Judicial Magistrate, Tiruvotriyur. Though there is a cognizable offence as has been made out against the petitioner's husband and her in-laws, the learned Judicial Magistrate No.I, Poonamallee dismissed the petition filed by the petitioner seeking to register the FIR against the petitioner's husband and her in-laws in CMP.No.144 of 2021 vide order dated 11.03.2022 which is per se unsustainable.

4. The learned Government Advocate (CrI.Side) appearing for the respondents submits that on an earlier occasion this Court has orally instructed the learned Government Advocate as to whether the Seethanam articles which was given to the petitioner's husband during the time of marriage were returned to the petitioner or not, however, upon instructions, he submitted that all the Seethanam Articles were returned to the petitioner. Accordingly, he prayed for passing appropriate orders.

5. Heard the learned counsel appearing for the petitioner and the



learned Government Advocate appearing for the respondents.

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6. Keeping in mind the submission made by the learned Government Advocate that all the Seethanam Articles which was given during the marriage of the petitioner and her husband were returned to the petitioner, this Court without going into the merits of the case, directs the learned Judicial Magistrate, Tiruvotriyur to dispose of the domestic violence case in D.V.C.No.16 of 2021 filed by the petitioner after affording an opportunity of hearing to the parties within a period of three (3) months from the date of receipt of a copy of this order.

7. With the above observation, this Criminal Revision Petition is disposed of.

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Index	: Yes/No
Speaking order	: Yes/No
NCC	: Yes/No

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To
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1. The Judicial Magistrate No.I, at Poonamallee
2. The Public Prosecutor
High Court, Madras.



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M.DHANDAPANI, J.

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