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CrI.R.C.Nos.611 and 612 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2024

CORAM :

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

CrI.R.C.Nos.611 and 612 of 2024

R.Dhanabal
R.C.s

... Petitioner in both

Vs.

The State Rep. by the Inspector of Police,
Vennandur Police Station,
Namakkal District.

(Crime No.301 of 2017)

... Respondent in both R.C.s

Common Prayer : Criminal Revision cases have been filed under Section 397 r/w 401 Cr.P.C, praying to set aside the order dated 22.12.2023 made in CrI.M.P.Nos.2768 of 2018 and 1033 of 2021 on the file of the Judicial Magistrate, Rasipuram.

In both cases:

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.A.Gopinath
Government Advocate (CrI.Side)

COMMON ORDER

Since the issue involved in the present cases are one and the same they are disposed by way of this common order.



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2. According to the petitioner, based on the complaint given by the petitioner against the accused namely Kannan, the respondent Police registered FIR in Crime Nos.300 and 301 of 2017. After conducting investigation, the charge sheets have also been filed against the said Kannan. Since the respondent Police has not properly investigated the said complaint, the petitioner has filed separate applications u/s.156(3) of Cr.P.C in Crl.M.P.Nos.2768 of 2018 and 1033 of 2021 before the learned Judicial Magistrate, Rasipuram and the same was dismissed vide order dated 22.12.2023 which considering the acts perpetrated by the accused against the petitioner. Challenging the same the present revision petitions have been filed by the petitioner.

3. Heard the learned counsel for the petitioner and the learned counsel appearing for the respondent and perused the materials placed on record.

4. Though very many grounds have been raised, when this Court expressed its opinion that the remedy for the petitioner is to file an



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appropriate application u/s.319 of Cr.P.C, the learned counsel for the petitioner restricted his prayer and sought permission of this Court to file appropriate application under Section 319 of Cr.P.C. before the appropriate forum.

5. In view of the limited request sought for by the learned counsel for the petitioner, this Court without interfering with the order impugned and without going into the merits of the case, grants liberty to the petitioner to file an appropriate application u/s.319 of Cr.P.C. as against the aggrieved person before the competent authority in the manner known to law.

6. Accordingly, the Criminal Revision Petitions are dismissed.

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Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes / No
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M.DHANDAPANI, J.

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To

1. The Judicial Magistrate, Rasipuram.
2. The Inspector of Police,
Vennandur Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court of Madras.

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