



Crl.R.C.(MD).No.589 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated: 29.07.2024

CORAM

THE HONOURABLE MR. JUSTICE K.K.RAMAKRISHNAN

Crl.R.C(MD).No.589 of 2023

Latha Bai

... Petitioner

Vs.

1.The Inspector of Police,
City Crime Branch,
Trichy.

2.Ranjith Kumar

3.J.Satheeshwar Singh

... Respondents

PRAYER: This Criminal Revision Case is filed under Sections 397 (1) r/w 401 of the Criminal Procedure Code, to call for the records pertaining to the order passed by the learned Judicial Magistrate No.I, Tiruchirappalli in Crl.M.P.No.8605 of 2022 dated 22.04.2022, examine the records and set aside the same.

For Petitioner	: Mr.B.Jenifar Binin
For R1	: Mr.R.Sivakumar
	Government Advocate (Crl.Side)



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ORDER

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This petition has been filed to call for the records pertaining to the order passed by the learned Judicial Magistrate No.I, Tiruchirappalli in CrI.M.P.No.8605 of 2022 dated 22.04.2022 and set aside the same.

2. The case of the prosecution is that the third respondent introduced the second respondent to the petitioner's family members. The second respondent claimed that he was running IT company and the second respondent induced the petitioner that if he deposited money in the Company, he would get double the amount. Believing the words of the respondents 2 and 3, the petitioner and her family members deposited a sum of Rs.40,99,035/- to the second respondent's account. While being so, the petitioner came to understand that the second respondent was neither a director nor employee of any company. Therefore, the petitioner lodged a complaint before the first respondent police, the first respondent police has not taken any steps to register the case. Hence, he filed a petition under Section 156(3) of Cr.P.C., seeking direction and the same was dismissed without assigning any reason. Challenging the same, the present petition has been filed.



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3. The learned counsel for the petitioner submitted that the learned Judge without issuing notice and without any valid reason dismissed the petition.

4. On 13.06. 2024 this Court passed a detailed order, which is extracted as follows :-

“ 2. From the records, it is clearly seen that earlier the petitioner lodged a complaint before the Police concerned and the same was enquired and closed as the case was civil in nature. Thereafter, the petitioner filed a petition in Cr.M.P.NO.8605 of 2022 and the same was dismissed. Aggrieved over the same, the petitioner has preferred this present petition.

3. Pending the petition, the husband of the petitioner lodged a complaint to the Commissioner of Police, Trichy. The Commissioner of Police, Trichy, forwarded the same to the Inspector of Police, City Crime Branch, Trichy, to conduct an enquiry and the Inspector of Police, City Crime Branch also conducted an enquiry.

4. The Police has no jurisdiction to entertain the complaint as per the circular of the Director General of Police, Head of State Police Force, Tamil Nadu State, Chennai -4 issued in Rc.No.892914/X1/2020 dated



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12.03.2021 and the circular of the Additional Director General of Police, Chennai, issued in C.No.18/ADGP/L & O/Camp/2024 dated 09.01.2024.”

5. The learned Government Advocate (Crl.Side) appearing for the first respondent submitted that departmental enquiry has been initiated against the concerned Officer.

6. From the records, it is clearly seen that earlier, the petitioner has lodged a complaint before the jurisdictional police. The same was enquired and closed as civil in nature. The said fact was suppressed by the defacto complainant in the present complaint made under Section 156(3) of Cr.P.C. Even according to the petitioner, he had handed over the amount of Rs.40,99,035/- to the second respondent as induced by the third respondent. To recover the same, he filed the petition. Therefore, the petitioner tried to give criminal colour to the civil dispute. The learned trial judge has considered the above circumstances and correctly dismissed the petition and this Court finds no reason to interfere with the reasoning of the learned trial Judge in dismissing the complaint.



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7. In view of the above, this Court does not find any merits in this case. Accordingly, this Criminal Revision Case is dismissed and the order passed in Crl.M.P.NO.8605 of 2022, by the learned Judicial Magistrate No.I, Tiruchirappalli, dated 22.04.2022, is hereby confirmed.

29.07.2024

Index : Yes / No
Internet : Yes / No
tta/sbn

To

1.The Judicial Magistrate No.I, Tiruchirappalli

2.The Inspector of Police,
City Crime Branch,
Trichy.



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K.K.RAMAKRISHNAN, J

tta/sbn

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