



Crl.R.C.No.1085 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.1085 of 2025

Suryaprakasam

..... Petitioner

Vs

1.The Inspector of Police,
Jayankondam Police Station,
Ariyalur District.

2.Ravichandran

3.Dinakaran

..... Respondents

Prayer: Criminal Revision is filed under Section 438 r/w 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order dated 28.10.2024 made in Crl.M.P.No.4247 of 2024 passed by Judicial Magistrate No.I, Jayankondam and direct the 1st respondent herein to register FIR against respondents 2 and 3 as per the complaint of the petitioner dated 24.06.2024.

For Petitioner : Mr.S.Senthilnathan

For R1 : Mr.A.Gopinath

Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case has been filed challenging the order dated 28.10.2024 passed in Crl.M.P.No.4247 of 2024 by the



Crl.R.C.No.1085 of 2025

Judicial Magistrate No.I, Jayankondam, thereby dismissing the petition seeking a direction to register the FIR under Section 175(3) of Bharatiya Nagarik Suraksha Sanhita, 2023.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) appearing for the respondent and perused the materials available on record.

3. The petitioner lodged a complaint alleging that on 24.06.2024, his shops were trespassed upon and demolished by the accused. When the petitioner questioned the same, the accused threatened him with dire consequences. On the same day, an FIR was registered, which was enquired and closed by the first respondent on the ground that all the allegations are civil in nature. Therefore, the petitioner filed a petition under Section 175(3) of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking a direction to register the FIR. However, the the said petition was dismissed on the very same ground that all the allegations were civil in nature.



Crl.R.C.No.1085 of 2025

4. On a perusal of the complaint and the materials produced before this Court, it is seen that a prima facie case has been made out for registration of the FIR against the accused persons, since there are specific allegations as against them. Therefore, the order passed by the Trial Court is liable to be set aside.

5. In view of the above, the order dated 28.10.2024 passed in Crl.M.P.No.4247 of 2024 by the Judicial Magistrate No.I, Jayankondam, is hereby set aside. The first respondent is directed to register the FIR and proceed with the investigation in accordance with law as against the accused.

6. In the result, this Criminal Revision Case stands allowed.

15.07.2025

Index : Yes/No
Internet : Yes/No
Speaking/Non Speaking order
Lpp



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Crl.R.C.No.1085 of 2025

G.K.ILANTHIRAIYAN. J,

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To

1.The Judicial Magistrate No.I,
Jayankondam.

2.The Inspector of Police,
Jayankondam Police Station,
Ariyalur District.

3.The Public Prosecutor,
High Court of Madras,
Chennai.

Crl.R.C.No.1085 of 2025

15.07.2025