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CRL RC No. 527 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL RC No. 527 of 2025

1. S.Sivaraj
S/o.M.Selvaraj,
No.5/145, South Street,
Kalumalam Village,
Kallakurichi-605 754.

Petitioner(s)

Vs

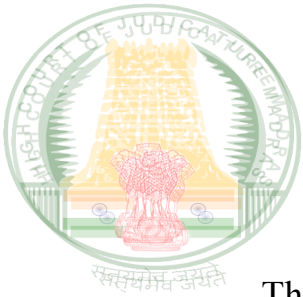
1. The Inspector of Police,
All Women Police Station,
Tirukovilur.

Respondent(s)

PRAYER: This Criminal Revision Petition is filed under Section 438 read with 442 of BNSS, to call for the records and set aside the order dated 05.03.2025 passed in CrI.M.P.No.143/2025 by learned Judicial Magistrate at Tirukoilur.

For Petitioner(s): Mr.E.Sivanandan

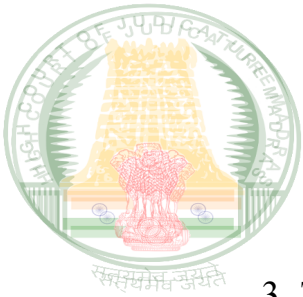
For Respondent(s): Mr.S.Sugendran
Additional Public Prosecutor

**ORDER**

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This Criminal Revision Petition has been filed to call for the records and set aside the order dated 05.03.2025 passed in Crl.M.P.No.143/2025 by learned Judicial Magistrate at Tirukoilur.

2. Learned counsel for the petitioner submitted that the accused had taken objectionable picture and video of the petitioner's child, who is aged about 4 years in his mobile phone and circulated the same in social media. Hence, the petitioner filed a complaint before the respondent-Police to take action against the accused person. Since the respondent-Police did not take action, The petitioner has filed a petition in C.M.P.No.143 of 2025 under Section 173(4) read with Section 210 of BNSS, seeking direction to the respondent-Police to register F.I.R on the petitioner's complaint, on the file of the learned Judicial Magistrate, Tirukoilur. The learned Magistrate, vide impugned order, dated 05.03.2025 dismissed the petitioner's complaint. Aggrieved by the same, the petitioner has filed this Criminal Revision Petition.



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3. This Court, vide order dated 09.04.2025, directed the learned Judicial Magistrate, Tirukoilur and the Investigating Officer [The Inspector of Police, All Women Police Station, Tirukoilur] who had investigated the petitioner's complaint dated 07.11.2024 to be present. Today, when the matter is taken up for hearing, they appeared. This Court advised them that if any complaint is received regarding the offence against woman/child, the same should be dealt with carefully in future.

4. On a perusal of the complaint and the materials available on record, this Court finds that the impugned order by the learned Magistrate, Tirukoilur is perverse. Hence, the impugned order dated 05.03.2025 passed in Crl.M.P.No.143/2025 by learned Judicial Magistrate at Tirukoilur is set aside and further, the learned Magistrate is directed to proceed with the case further in accordance with law.



5. With the abovesaid direction, this Criminal Revision Petition is
allowed.

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15-04-2025

mfa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate at Tirukoilur

2. The Inspector of Police,

All Women Police Station, Tirukovilur.

3. The Public Prosecutor,

High Court, Chennai.



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P.VELMURUGAN J.

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