



Crl.RC.No.941 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 01.07.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.RC.No.941 of 2025

P.Arunachalam

...Petitioner

Vs.

1. The Inspector of Police,
Vellimedupettai Police Station,
Vellimedupettai,
Tindivanam Taluk.

2. Jegan

... Respondents

PRAYER: Criminal Revision Petition filed under Section 438 r/w. 442 BNSS, to set aside the order in Crl.M.P.No.2439 of 2024 dated 09.12.2024 passed by the learned Judicial Magistrate – I, Tindivanam and direct the first respondent to register the case based on his complaint dated 19.04.2024 and file the final report before the appropriate court within the reasonable time limit fixed by this Court.



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Crl.RC.No.941 of 2025

For Petitioner : Mr.G.Tamilselvan

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER

This revision has been preferred as against the order dated 09.12.2024 passed in Crl.M.P.No.2439/2024 on the file of the learned Judicial Magistrate – I, Tindivanam, thereby dismissing the petition filed under Section 156(3) Cr.P.C.

2. The petitioner lodged a complaint on 20.04.2024 alleging that due to election dispute, the counter party abused him in filthy language and assaulted him with his hands and therefore, the petitioner sustained injuries. On 20.04.2024 the petitioner lodged a complaint before the first respondent. However, no action has been taken on the complaint lodged by the petitioner. Therefore, the petitioner was constrained to file a petition under Section 156(3) Cr.P.C. seeking direction to the first respondent to conduct an enquiry. Though the trial Court directed the first respondent to conduct enquiry and submit a report, the petitioner did not cooperate for enquiry and as such it was reported before the trial Court. Even on the date of hearing



Crl.RC.No.941 of 2025

WEB COM

before the trial Court, the petitioner was absent and as such the trial Court dismissed the petition by an order dated 09.12.2024.

3. Upon perusal of the complaint lodged by the petitioner, this Court is of the view that sufficient materials are available to make out a *prima facie* case warranting an enquiry. In view of the above and also in order to give one more opportunity to the petitioner the order passed by the trial Court is liable to be set aside.

4. Accordingly, the order dated 09.12.2024 passed in Crl.M.P.No.2439/2024 on the file of the learned Judicial Magistrate – I, Tindivanam, is hereby set aside. The petitioner is directed to appear before the first respondent within a period of two weeks from the date of receipt of a copy of this order and thereafter, the first respondent is directed to issue notice to the counter party and conduct enquiry. During enquiry, if any material is available to constitute any offence, the first respondent is directed to register FIR and proceed in accordance with law.

5. In view of the above, this Criminal Revision Case is disposed.



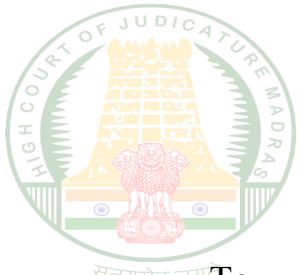
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Crl.RC.No.941 of 2025

01.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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Crl.RC.No.941 of 2025

To
WEB COPY

1. The Judicial Magistrate – I, Tindivanam.
2. The Inspector of Police,
Vellimedupettai Police Station,
Vellimedupettai,
Tindivanam Taluk.
3. The Public Prosecutor
High Court, Madras.



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Crl.RC.No.941 of 2025

G.K.ILANTHIRAIYAN, J.

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Crl.RC.No.941 of 2025

01.07.2025