



Crl.R.C.No.1414 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.1414 of 2023

and

Crl.M.P.No.12179 of 2023

K.R.Transport
Rep.by its Proprietor
K.Ramasamy (died)

1. R.Gandhimathi
2. Ananthi
3. Madhumathi Santhosh
4. E.Nakkeeran

... Petitioners

..VS..

1. The Inspector of Police,
Crime Branch,
Namakkal, Namakkal District.

2. K.Senthilkumar

... Respondents

Criminal Revision Case filed under Sections 397(1) and 401 Cr.P.C., to set aside the order passed in C.M.P.No.4679 of 2023 in C.N.R.No.TNNM02-004458-2023 on the file of the Judicial Magistrate Court No.I, Namakkal order dated 14.06.2023.

For Petitioners	:	Mr.V.Udayakumar
For Respondents	:	Mrs.G.V.Kasthuri
		Additional Public Prosecutor for R1



Crl.R.C.No.1414 of 2023

WEB COPY

ORDER

This Criminal Revision Petition is filed to set aside the order dated 14.06.2023 passed in Crl.M.P.No.4679 of 2023 in C.N.R.No.TNNM02-004458-2023 on the file of the Judicial Magistrate Court No.I, Namakkal.

2. It is seen from the records that the second respondent herein filed a complaint under Section 156(3) Cr.P.C. before the Judicial Magistrate-I, Namakkal, seeking a direction to the first respondent-Police to register the complaint, which was given against petitioners 1 to 4 for the offences under Sections 23, 109, 120(B), 409 and 420 IPC. The learned Magistrate, after appreciating the entire materials, including the complaint dated 05.08.2022, which was given by the complainant to the first respondent, found that *prima facie* allegations are made out against the accused-petitioners 1 to 4 herein and had given a direction to the first respondent-Police to register the case and if necessary, conduct preliminary enquiry and after thorough investigation file a final report. Now, the said order is under challenge in this revision petition by the petitioners.



Crl.R.C.No.1414 of 2023

WEB COPY

3. Based on the directions given by the learned Magistrate, the first respondent-Police had registered a case against the petitioners and after completion of investigation, filed a charge sheet before the Judicial Magistrate-I, Namakkal in RCS.No.03/2024 dated 18.07.2024.

4. It is settled law that while considering the complaint under Section 156(3) Cr.P.C., the Magistrate has to see the allegations levelled in the complaint and not the defence taken by the accused. Admittedly, in the instant case, the learned Magistrate found that *prima facie* allegations are made out as against the petitioners herein and gave a direction to the first respondent-Police. As per the directions of the learned Magistrate, the case was registered against petitioners 1 to 4 herein in F.I.R.No.06 of 2024 and charge sheet also filed before the Court below.

5. Considering the facts and circumstances and also considering the allegations levelled against the petitioners, this Court does not find any reason to interfere with the findings of the Court below and hence, this Criminal Revision Petition is dismissed. Consequently, connected



Crl.R.C.No.1414 of 2023

WEB COPY

miscellaneous petition is closed. The petitioners are at liberty to workout their remedy in the manner known to law before the competent Court.

12.03.2025

Index: Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
ms

To

1. The Judicial Magistrate Court No.I,
Namakkal.
2. The Public Prosecutor,
High Court, Madras.
3. The Inspector of Police,
Crime Branch,
Namakkal, Namakkal District.



WEB COPY



Crl.R.C.No.1414 of 2023

P.VELMURUGAN, J.

ms

Crl.R.C.No.1414 of 2023

12.03.2025