



WEB COPY



Crl.R.C. No. 139 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.01.2025

CORAM

THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.R.C. No. 139 of 2025

Anandhi

..Petitioner

Vs.

1. The State rep. by
Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.

2. Kathirvel

..Respondent

Prayer: Criminal Revision case filed under Section 438 r/w 442 BNSS
as against the judgment dated 15.09.2023 made in Crl.M.P. No. 1260 of
2021 by the learned Judicial Magistrate, Uthangarai, Krishnagiri District.

For Petitioner :: Mr.J. Pradeep

For Respondents :: Mr.S. Udayakumar,
Govt. Advocate (Crl.Side)



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ORDER

The revision challenges the dismissal of the petition filed under Section 156(3) Cr.P.C.

2. The petitioner had lodged a complaint against certain persons alleging that they had attacked him with sticks and also abused him in filthy language thereby committed the offence under Sections 294(b), 324 and 506(ii) IPC.

3. It appears that the said complaint was closed and thereafter, the petitioner filed a petition under Section 156(3) Cr.P.C. which was dismissed by the learned Magistrate on the ground that there is no prima facie material to direct registration of the FIR. The revision challenges the said order.

4. Learned counsel for the petitioner would submit that it is a fact that the petitioner was injured as could be seen from the Accident Register; that the complaint filed by him was closed since the petitioner was forced to enter into a compromise with the 2nd respondent, who had also lodged a counter-complaint against the petitioner; that since the compromise was entered into due to coercion, the same is not valid and therefore, the learned



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Magistrate ought to have directed registration of FIR.

WEB COPY 5. Heard the learned Government Advocate (Crl.Side) for the 1st respondent.

6. It is seen from the impugned order that the alleged occurrence took place in the year 2018 and it is also admitted that a complaint was lodged against the petitioner for the offences under Sections 294(b), 324 and 506(ii) IPC. The fact that the petitioner and the 2nd respondent had entered into a compromise and requested the Police to close the case is not in dispute though it is the case of the petitioner that he was made to do so under coercion. The petitioner had not challenged the said action for nearly three years. That apart, the impugned order was passed on 15.09.2023 and the revision has been filed only now with a condone delay petition. Learned Magistrate had taken into consideration all the relevant facts and held that there is no prima facie case to direct registration of FIR.

7. Considering the fact that the alleged occurrence took place in the year 2018; the fact that the petitioner had not challenged the compromise immediately, which according to the petitioner, was entered into under coercion and recorded in the Police Station; the fact that there



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was also a complaint against the petitioner and the fact that though the order impugned was passed in the year 2023, it has been challenged only now, this Court is of the view that the impugned order need not be interfered with. Hence, the revision stands dismissed.

28.01.2025

nv

To

1. The Judicial Magistrate,
Uthangarai, Krishnagiri.
2. Inspector of Police,
Singarapettai Police Station,
Krishnagiri District.
3. The Public Prosecutor,
High Court, Madras.

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