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Crl.R.C.No.2635 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2635 of 2025

Sakthivel

... Petitioner

Vs.

1. State, rep by its,
The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.

2. Prabhakaran

3. Selvambal

4. Thangarasu

...Respondent

PRAYER: Criminal Revision Petition filed under Section 442 of BNSS to call for the records relating to C.C.No.29 of 2024 pending before the learned Additional Mahila Court, Judicial Magistrate, Perambalur and set aside the order dated 16.04.2024 passed by the learned Additional Mahila Court, Judicial Magistrate, Perambalur accepting the deletion of accused persons No.2, 3 and 5 (Respondents No. 2, 3 and 4 herein) and direct the learned Magistrate to order further investigation into the matter and to issue a fresh notice to the revision petitioner/ defacto complainant and to proceed further in accordance with law.



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For Petitioner : Mr.M. Ragavan
For Respondent : Dr.C.E.Pratap
Government Advocate (Crl. Side)

JUDGMENT

The Revision Petition has been filed to set aside the docket order dated 16.04.2024 passed by the learned Additional Mahila Court, Judicial Magistrate, Perambalur, by which the learned Magistrate had taken cognizance of the offences in the final report and issued summons to A1 and A2.

2. The grievance of the petitioner/defacto complainant, is that he had lodged a complaint against 5 accused; that the respondent without proper investigation deleted three accused in the final report and that the petitioner could not file a protest petition, since he became ill; that the learned Magistrate without proper application of mind had taken cognizance of the offences and issued summons only to A1 and A2.



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3. The learned Government Advocate (Crl. Side), per contra submitted that, the respondent had conducted investigation fairly and since three other accused were not involved in the offence their names were deleted in the final report and sought for dismissal of the petition.

4. It is seen that the petitioner had not availed of the opportunity given by the Magistrate to raise his objection before taking cognizance of the offence. In any case, it is needless to say that the learned Magistrate can always invoke Section 319 of Cr.P.C., to summon any other person, if his involvement is revealed in the evidence recorded in the trial.

5. With the above observations, this Criminal Revision Petition is disposed of.

sma
Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No

02.12.2025



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SUNDER MOHAN, J.

sma

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To

- 1.The Additional Mahila Court, Judicial Magistrate, Perambalur
- 2.The Inspector of Police,
Mangalamedu Police Station,
Perambalur District.
- 3.The Public Prosecutor,
High Court, Madras.

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