



WEB COPY

CRL OP No. 32627 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP No. 32627 of 2025

Ragavan

Petitioner

Vs

1. The State Rep by,
The Station House Officer,
Thirukanur Police Station, Puducherry.

2.Rameshbabu

3.Madhanraj

4.Mithulan

Respondents

PRAYER Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, to set aside the order passed by the III-Additional Principal District Judge, Puducherry in Crl.R.C.No.19/2023 dated 06.08.2025 as confirmed the order by the order of learned Judicial Magistrate Court in Crl.M.P.No.6714/2023 and to register the FIR based on the petitioner complaint dated 10.07.2023.

For Petitioner(s): Mr.R.Rajadurai

For Respondent(s): Mr.M.V.Ramachandra Murthy,
Public Prosecutor (Puducherry) Assisted by
Mr.A.Alexander,
Government Advocate (Puducherry) for R1

ORDER

The case of the petitioner is that he had given a complaint, dated 09.06.2023 to the first respondent against respondents 2 and 3 for trespass and attacking him with deadly weapons. Since the first respondent did not take any



action, the petitioner filed a petition under Section 156 (3) of Cr.P.C., before the learned Judicial Magistrate No.IV, Pondicherry in CMP No.6714 of 2023. The learned Magistrate, finding that a previous case was registered against him on the complaint of the 1st respondent in Crime No.121 of 2023 and finding that the petitioner had suppressed the same, had dismissed the petition. Challenging the order of dismissal, the petitioner had filed Crl.R.C.No.19 of 2023 before the III Additional Principal District and Sessions Judge, Puducherry. The learned Sessions Judge, Puducherry on 06.08.2025, finding that the petitioner had not shown any proof to show that he had given a complaint on 20.05.2023, i.e., the date of occurrence and he had sent the complaint only on 09.06.2023 through the Registered Post and that there is no proof for the occurrence on 20.05.2023, had dismissed the revision, as against which the present Criminal Original Petition has been filed.

2. The learned counsel for the petitioner submitted that on 20.05.2023, the respondents 2 and 3 had trespassed into the land of the petitioner and created a problem and the petitioner had given a complaint on 09.06.2023 by Registered Post. However, the learned Magistrate as well as the Revisional Court did not take into consideration the same.

3. Admittedly, the petitioner had filed the application under Section 156(3) Cr.P.C. The learned Magistrate, finding that the petitioner has



suppressed the earlier complaint given by the 1st respondent, had dismissed the application against which the petitioner has preferred the revision before the District Court. The Revisional Court also, finding that no proof had been produced before the Court to show that the complaint was sent on the date of occurrence, had dismissed the application. Concededly, it is a second revision. The petitioner had earlier challenged the order of the learned Magistrate and availed the statutory remedy of revision under Section 397 of Cr.P.C. The present petition has been filed under Section 482 Cr.P.C., before this Court seeking to challenge the very same order which would, in effect, amount to a second revision which is expressively barred under Section 397 (3) of Cr.P.C.

4. The second revision can be admitted when exceptional circumstances of abuse of process, is demonstrated. In this case, the petitioner has not shown any exceptional circumstance to admit this petition filed under Section 482 of Cr.P.C. Further, there is no perversity or illegality in the concurrent findings of the learned Judicial Magistrate and the Revisional Court warranting interference by this Court in exercise of its inherent jurisdiction. Accordingly, this Court finds no merit in the present petition. The Criminal Original Petition is, therefore, dismissed.

28-11-2025

vum

Index: Yes/No

Speaking/Non-speaking order



CRL OP No. 32627 of 2025



A.D.JAGADISH CHANDIRA,J.

vum

To

WEB COPY

1.The Station House Officer,
Thirukanur Police Station, Puducherry.

2. The Public Prosecutor,
Madras High Court, Chennai.

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