



Crl.R.C.(MD)No.167 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 07.02.2025

CORAM:

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.167 of 2025

Jothi : **Petitioner**

Vs.

**State through rep.by The Inspector of Police,
Alanganallur Police Station,
Madurai District.** : **Respondent**

Prayer : This Criminal Revision Petition filed under Sections 438 r/w 442 B.N.S.S., to call for the records pertaining to the order passed in Cr.M.P.No.3106 of 2024 in RCS.No.191 of 2024 on the file of the Judicial Magistrate Court, Vadipatti, Madurai District, dated 17.12.2024 in connection with Crime No.495 of 2023, dated 07.12.2023 on the file of the respondent police and set aside the same.

For Petitioner : **Mr.R.Murugappan**

For Respondent : **Mr.B.Thanga Aravindh,
Government Advocate (Crl. Side)**



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ORDER

The Criminal Revision is directed against the order passed in Cr.M.P.No.3106 of 2024 on the file of the Judicial Magistrate Court, Vadipatti, Madurai District, dated 17.12.2024, dismissing the protest petition.

2. It is evident from the records that on the basis of the complaint given by the petitioner, FIR came to be registered in Crime No.495 of 2023, for the alleged offence under Sections 147, 448 and 380 of IPC and that the respondent after completing the investigation has filed a final report as 'mistake of fact.' The petitioner herein after the receipt of notice, has filed a protest petition in Cr.M.P.No.3106 of 2024. The learned Magistrate considering the materials available on records and also the objections raised thereon, dismissed the protest petition and thereby closing the FIR, but at the same time, given liberty to seek on or before 19.12.2024 to treat instant petition or complaint under Section 200 Cr.P.C.



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3. The learned counsel for the petitioner would submit that the police has summoned six witnesses and recorded their statements; that subsequently, another investigating officer had taken investigation and that the previous officer has suppressed the said statements and filed the negative report.

4. The learned Government Advocate (Criminal Side) would submit that the statements recorded earlier were referred by the police in the earlier proceedings before the Court and in the impugned order relied by the learned counsel for the petitioner, there is no reference for the same.

5. Except the above vague allegations made, there is absolutely no materials to show that the so-called witnesses were summoned and statements were recorded from them. The learned Magistrate, after considering the statements recorded and considering the objections raised, has accepted the version of the police that the above complaint came to be lodged falsely. Considering the above, the impugned order dismissing the petition cannot be found fault with. Admittedly, the petitioner has not utilized the liberty given to her.



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6. In the result, the Criminal Revision Case is dismissed. The petitioner is at liberty to file a private compliant under Section 200 Cr.P.C., if so advised.

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NCC : Yes/No
Index : Yes/No
Internet : Yes/No
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To

- 1.The Judicial Magistrate Court, Vadipatti,
Madurai District,
- 2.The Inspector of Police,
Alanganallur Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

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