



Crl.R.C.(MD)No.300 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.300 of 2025

Anandhi

... Petitioner

Vs.

1.The Inspector of Police,
All Women Police Station,
Melur,
Madurai District.

2.The Superintendent of Police,
Madurai.

3.Palaniyappan

... Respondents

PRAYER : Criminal Revision Petition filed under Section 442 BNSS r/w 397 and 401 Cr.P.C., to call for the records pertaining to the order in Cr.M.P.No.3784 of 2024 dated 05.12.2024 passed by the Judicial Magistrate, Melur and quash the same by allowing the criminal revision petition.

For Petitioner : Mr.N.Senthilkumar

For R1 & R2 : Mrs.M.Aasha
Government Advocate (Crl. Side)



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ORDER

The Criminal Revision is directed against the order passed in Crl.M.P.No.3787 of 2024 dated 05.12.2024 on the file of the Judicial Magistrate, Melur, dismissing the petition filed under Section 175(3) B.N.S.S.

2. The petitioner raising some allegations against the third respondent has filed a petition under Section 175(3) BNSS and the learned Magistrate, upon receipt of the petition, has taken the petition on file in Crl.M.P.No.3787 of 2024 and upon perusing the petition and affidavit and on hearing the petitioner's side, has passed the impugned order dated 05.12.2024, dismissing the said petition.

3. The main reason assigned for the dismissal is that the petitioner has not complied with the provisions of Sections 173(2) and 173(4) BNSS. Even according to the petitioner, the petitioner sent a complaint to the jurisdictional police as well as to the District Superintendent of Police simultaneously without giving any breathing time to the jurisdictional police to take action.



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4. The learned Magistrate has rightly observed that the petitioner has given a complaint on the same day to the officer incharge of All Women Police Station, Melur, Superintendent of Police, Madurai, Inspector General of Police (South Zone) and Director General of Police, Chennai and by observing that the petitioner has not complied with the mandatory requirements, dismissed the petition.

5. It is not the case of the petitioner that after waiting sufficient period, he has given complaint to the Superintendent of Police complaining no action on the part of the jurisdictional police.

6. Considering the above, since the petitioner has not complied with the mandatory requirements, dismissal of the petition filed under Section 175(3) BNSS, cannot be found fault with. Consequently, this Court concludes that the revision is devoid of merits and the same is liable to be dismissed.

7. At this juncture, the learned counsel appearing for the petitioner seeks liberty to file a fresh complaint before the concerned police.



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8. In the result, this Criminal Revision Case stands dismissed. The petitioner is at liberty to give a fresh complaint to the police authorities and if action is not taken, approach the learned Magistrate under Section 175(3) BNSS, if so advised. No costs.

07.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm

To

- 1.The Judicial Magistrate,
Melur.
- 2.The Inspector of Police,
All Women Police Station,
Melur,
Madurai District.
- 3.The Superintendent of Police,
Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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CrI.R.C.(MD)No.300 of 2025

K.MURALI SHANKAR,J.

csn

Order made in
CrI.R.C.(MD)No.300 of 2025

Dated: 07.03.2025