



Crl.R.C.(MD)No.1379 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.1379 of 2023

Z.Mohamed Salih

... Petitioner

Vs.

The State represented by
The Inspector of Police,
Adirampattinam Police Station,
Adirampattinam,
Thanjavur District.

... Respondent

PRAYER : Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C., to call for the entire records and set aside the order passed by the learned Judicial Magistrate, Pattukkottai, Thanjavur District in Cr.M.P.No.2782 of 2023 vide his order dated 26.09.2023 whereupon the prayer sought for by the petitioner under Section 156(3) Cr.P.C. with regard to the registration of FIR pursuant to his complaint has been negated by the above said learned Magistrate.



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For Petitioner : Mr.N.Balasubramanian

For Respondent : Mrs.M.Aasha
Government Advocate (Crl. Side)

ORDER

The Criminal Revision is directed against the order passed in Crl.M.P.No.2782 of 2023 dated 26.09.2023 on the file of the Judicial Magistrate Court, Pattukkottai, dismissing the petition filed under Section 156(3) Cr.P.C.

2. The learned Magistrate, in the impugned order, has observed that the petitioner, after sending complaint to the jurisdictional Police, has sent a complaint to the Superintendent of Police on the very next day itself without giving any opportunity to the concerned police for taking action and that the petitioner has not shown any *prima facie* case to proceed further.

3. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that on the basis of the complaint given by the petitioner, CSR came to be registered in CSR.No.353 of 2023 and



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after enquiry, directing the parties to approach the civil Court, closed the complaint.

4. The learned counsel appearing for the petitioner would submit that the petitioner has sent complaint to the jurisdictional Police as well as to the Superintendent of Police, Thanjavur District. No doubt, he has also produced the copy of the complaint sent to the Inspector of Police, Adirampattinam Police Station and to the Superintendent of Police, Thanjavur District. But the fact remains that he sent the complaint to the jurisdictional Police on 25.05.2023 and without giving any breathing time to the concerned police to act, he sent the complaint to the Superintendent of Police on the very next day i.e., on 26.05.2023.

5. Considering the above, this Court has no hesitation to hold that the petitioner has not complied with the mandatory requirements as contemplated under Section 173 BNSS (154 Cr.P.C.). Hence, the impugned order dismissing the petition cannot be found fault with. Consequently, this Court concludes that the revision is devoid of merits and the same is liable to be dismissed.



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6. In the result, this Criminal Revision Case is dismissed. The petitioner is at liberty to approach the jurisdictional Police, if so advised.

No costs.

28.02.2025

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

To

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



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.R.C.(MD)No.1379 of 2023

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