



WEB COPY

CRL RC No. 30 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-01-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL RC No. 30 of 2026

1. J.Prakasi Bellarmine

Petitioner(s)

Vs

1. The State rep by
The Sub Inspector of Police
Team-XXI-A, CCB-EF-III, Vepery,
Chennai-600 007.

Respondent(s)

PRAYER

To set aside the Impugned order passed by the Trial Court in CrI.M.P.No.4435 of 2023 in Crime No.165 of 2021 dated 05.12.2025 on the file of the Honble Judicial Magistrate-I, at Alandur.

For Petitioner(s): Mr.A.Girinath

ORDER

The revision challenges the impugned order dated 05.12.2025 passed in CrI.M.P.No.4435 of 2023 by the learned Judicial Magistrate-I, Alandur,



whereby the protest petition filed by the petitioner was dismissed, granting liberty to the petitioner to file a private complaint, if there is evidence on his side.

2. The petitioner had lodged a complaint against the proposed accused, which came to be registered in Crime No.165 of 2021 for the offences punishable under Sections 420, 120-B and 34 of the IPC.

3. Upon investigation, the respondent closed the case as “Mistake of Facts”. Aggrieved thereby, the petitioner filed a protest petition, which was dismissed by the impugned order.

4. The learned counsel for the petitioner would submit that the learned Magistrate, having granted liberty to the petitioner to file a private complaint, ought to have treated the protest petition itself as a private complaint.

5. There cannot be any quarrel with the proposition that the learned Magistrate can treat the protest petition as a private complaint. However, this Court is of the view that, in the facts and circumstances of the case, no prejudice would be caused to the petitioner if he files a separate private complaint. Moreso, since in the protest petition, the petitioner has raised several legal issues and grounds challenging the closure report apart from reiterating the



complaint. Therefore, this Court is of the view that the impugned order does not suffer from any infirmity. However, liberty is granted to the petitioner to file a private complaint, provided cognizable offences are made out.

6. Accordingly, the Criminal Revision Case is dismissed.

12-01-2026

skr

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The State rep by The Sub Inspector of Police
Team-XXI-A, CCB-EF-III, Vepery,
Chennai-600 007.



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SUNDER MOHAN J.
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