



CRL RC No. 2806 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON: 17-04-2026

PRONOUNCED ON: 01-06-2026

CORAM

THE HONOURABLE Mr.JUSTICE C.KUMARAPPAN

CRL RC No.2806 of 2025

1. S.Diwakar
13/44, Tharachand Nagar,
IIIrd Street, Virugambakkam,
Chennai.

Petitioner(s)

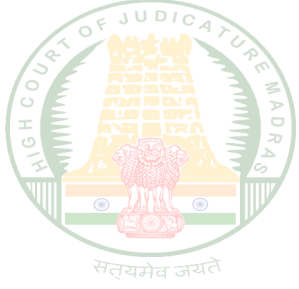
Vs

1. The Deputy Commissioner of Police
Koyambedu Police District,
Maduravoyal Police Station Campus
Maduravoyal, Chennai.

Respondent(s)

PRAYER

Criminal Revision Case filed under Section 397 of Cr.P.C., praying to call for the records pertaining to order dated 03.06.2023 passed in the petitioners Crl.MP.No.18078 of 2023 on the file of the V in M.M.Court Egmore and by setting aside the above order to pass orders directing the respondent herein to take actions in accordance with law in the petitioners informations from the dated passed the judgement in the petitioners WA Sr.76425 of 2016 case numbered as WA.No.526 of 2018 and thus render justice.



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CRL RC No. 2806 of 2025

For Petitioner(s): Mr.S.Diwakar
Party-in-Person

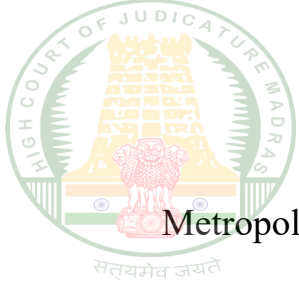
For Respondent(s): Mr.R.Kishore Kumar
Government Advocate (Crl.Side)

ORDER

The present Criminal Revision has been filed challenging the impugned order dated 03.06.2023 by and in which the application filed by the petitioner under Section 156(3) Cr.P.C was dismissed.

2.In order to decide the instant Criminal Revision, it is not relevant to go into the factual aspects, as the learned Magistrate has dismissed the application only on account of lack of jurisdiction. According to the petitioner, his contention is that the Metropolitan Magistrate is competent to decide the application filed by the parties under Section 156(3) of Cr.P.C *de hors* he resides in any part of the Metropolitan area. Therefore, to decide the present issue, it is incumbent upon this Court to go only into the aspect, as to whether the dismissal of the complaint on the ground of lack of territorial jurisdiction is in order or not?.

3.Admittedly, the petitioner is residing at No.13/44, Tharachand Nagar, III Street, Virugambakkam, Chennai-92. It is the finding of the learned V



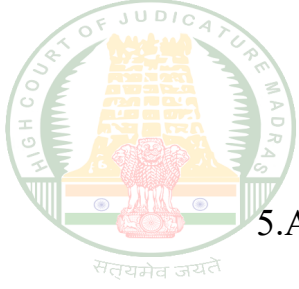
Metropolitan Magistrate that he has no jurisdiction in respect of above address qua Virugambakkam area. However, the petitioner would contend that according to Section 16(3) of Cr.P.C, every Metropolitan Magistrate is having jurisdiction through out the Metropolitan area. Therefore, the learned Magistrate ought to have considered the matter on merits and forwarded to the jurisdictional police.

4.In order to answer the above argument, it is appropriate to refer Section 156 Cr.P.C.

*“156. Police officer’s power to investigate cognizable case.—(1) Any officer in charge of a police station may, without the order of a Magistrate, investigate any cognizable case **which a Court having jurisdiction over the local area within the limits of such station** would have power to inquire into or try under the provisions of Chapter XIII.*

(2) No proceeding of a police officer in any such case shall at any stage be called in question on the ground that the case was one which such officer was not empowered under this section to investigate.

(3) Any Magistrate empowered under section 190 may order such an investigation as above-mentioned.”



5. According to Section 156(1) of Cr.P.C, any officer in charge of a police station may investigate, in which Court having jurisdiction over the local area to enquire and try under Chapter XIII of Cr.P.C. But, the petitioner would contend that Section 16(3) of Cr.P.C confers power upon the Metropolitan Magistrate to the entire Metropolitan area.

6. In this regard, it is appropriate to extract Section 16 of Cr.P.C.

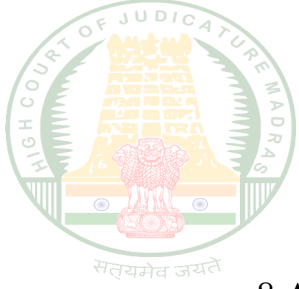
“16. Courts of Metropolitan Magistrates.—

(1) In every metropolitan area, there shall be established as many Courts of Metropolitan Magistrates, and at such places, as the State Government may, after consultation with the High Court, by notification, specify.

(2) The presiding officers of such Courts shall be appointed by the High Court.

(3) The jurisdiction and powers of every Metropolitan Magistrate shall extend throughout the metropolitan area.”

7. Reading of Section 16(1) & 16(3) of Cr.P.C conjointly what emerges is that the State Government may after consultation of the High Court by notification specify, the jurisdiction and power of every Metropolitan Magistrate. By exercising such power the State Government after consultation with the High Court has not conferred the local area of Virugambakkam Police Station, within jurisdiction of V Metropolitan Magistrate. The said area comes within the local jurisdiction of XII Metropolitan Magistrate.



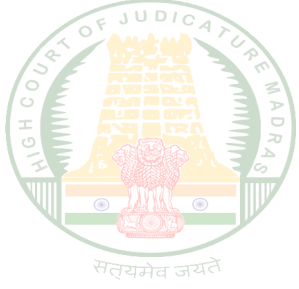
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8. At this juncture, it is also appropriate to refer Section 177 of Cr.P.C. the same reads as follows:-

“177. Ordinary place of inquiry and trial.—Every offence shall ordinarily be inquired into and tried by a Court within whose local jurisdiction it was committed.”

The above Section mandates the Courts should only inquire and try offences which comes within the local jurisdiction of the concerned Court.

9. In the present case, the cause of action admittedly arose within Virugambakkam police station to which the V Metropolitan Magistrate has no jurisdiction. The Hon'ble Supreme Court after referring to Section 177 of Cr.P.C has categorically held that Criminal case ought to be inquired and tried ordinarily, where cause of action arose. In this regard, it is appropriate to refer the order of the learned Single Judge of this Court in Crl.OP.No.8708 of 2022 dated 07.07.2022 [Praveen Rajesh Vs. Commissioner of Police and another] and the judgment of the Hon'ble Supreme Court in *Y.Abraham Ajith and others Vs. Inspector of Police, Chennai and another* reported in (2004) 8 SCC 100 and *Swaati Nirkhi and others Vs. State (NCT of Delhi) and others* reported in (2021) 11 SCC 163.



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10. As already discussed, Section 156 Cr.P.C put restriction to the learned Magistrate not to direct the police officer beyond their jurisdiction. Interestingly Section 154 of Cr.P.C mandates the police to register FIR irrespective of the territorial aspects. But, such course was not opted under Section 156 of Cr.P.C. Therefore, this Court is of the firm view that the Magistrate's power under Section 156(3) of Cr.P.C, is strictly confined to the area to which it has territorial jurisdiction. Hence, this Court does not find any infirmity in the order of the learned Magistrate.

11. In the result, this Criminal Revision stands dismissed.

01-06-2026

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

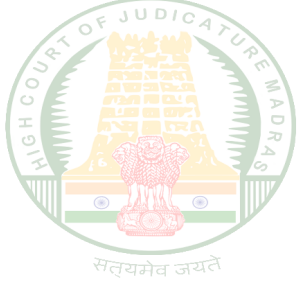
Neutral Citation: Yes/No

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Note: Issue Order Copy today (01.06.2026)

To

1. The V Metropolitan Magistrate
Egmore, Chennai.



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C.KUMARAPPAN, J

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**Pre-Delivery Order in
CRL RC No.2806 of 2025**

01- 06-2026