



Crl.R.C.No.2756 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.R.C.No.2756 of 2025

K.Rajendran
S/o. Late Kabirdass,
Plot No.N-65, Door No. 65,
First Floor, Muthamizh Street,
‘N’ Block, ‘A’ Type, MMDA colony,
Arumbakkam, Chennai – 600 106.

...Petitioner

Vs.

The Inspector of Police
K-8 Arumbakkam Police Station
Arumbakkam, Chennai 600 106.

...Respondent

Prayer: Criminal Revision Petition filed under Section 438 r/w 442 of BNSS, to set aside the impugned order dated 18.09.2025 passed by the V Metropolitan Magistrate Court, Egmore, Chennai, in Crl.M.P.No.20466 of 2024.

For Petitioner : Mr.S.L.Sudarsanam

For Respondent : Mr.R.Vinothraja
Government Advocate (Crl.Side)

ORDER

The revision challenges the order dated 18.09.2025 passed in Crl.M.P. No. 20466 of 2024 dismissing the petitioner’s application filed under Section 156(3)Cr.P.C. seeking registration of FIR on the petitioner’s complaint.



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2. The gist of the petitioner's complaint is that the petitioner and the first of the proposed accused are siblings; that the said accused had misappropriated the jewels and other movable articles, which jointly belong to the petitioner as well as the proposed accused and sold the same and gained wrongfully; that thereafter, the proposed accused had made several life threats when the petitioner demanded his share in the movable properties; that thereafter, in the month of April, 2023, the proposed accused had beaten up the petitioner and caused serious injuries and thus, committed the offence of causing grievous hurt besides the offence under Sections 420 and 403 IPC.

3. Since the petitioner's complaint was not taken cognizance by the respondent, the petitioner filed Crl.M.P. No. 20466 of 2024 before the learned V Metropolitan Magistrate Court, Egmore, Chennai. The learned Magistrate directed the respondent herein to conduct a preliminary enquiry and submit a report. After conducting preliminary enquiry, the respondent filed a report on 25.11.2024 stating that there was a partition of movable properties in the presence of elders; that the petitioner's case that the proposed accused had misappropriated the movable properties was false; that in any case, no such



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occurrence had taken place as alleged by the petitioner and the complaint was filed only to wreak vengeance on the proposed accused. Therefore, it was stated that there was no *prima facie* case made out for registration of FIR and the petitioner's complaint was closed.

4. The petitioner challenged the said report before this Court in CrI.O.P. No. 7090 of 2025 and this Court, by order dated 12.03.2025, disposed of the said petition granting liberty to the petitioner to file his objections to the report of the respondent before the learned V Metropolitan Magistrate, Egmore, Chennai. The petitioner, thereafter, filed his objections and the learned Magistrate passed the impugned order rejecting the objections of the petitioner and accepting the report of the respondent. Hence, the present revision.

5. Learned counsel for the petitioner would submit that the respondent as well as the learned Magistrate had proceeded on an erroneous basis that the complaint pertains only to sharing of movable properties; that neither the respondent nor the learned Magistrate had gone into the allegation made by the petitioner with regard to assault and causing grievous hurt and therefore, the impugned order is liable to be set aside. Learned counsel also sought to rely upon certain photographs said to have been taken after the alleged incident.



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6. Learned Government Advocate (Crl.Side) would submit that the

complaint of the petitioner is false; that even though the petitioner had alleged that the occurrence of assault took place in April, 2023, admittedly, he had not given any complaint till December, 2023; that therefore, the respondent was justified in filing the report and there is no infirmity in the order passed by the learned Magistrate.

7. In response, the petitioner had produced certain medical records which only states that the petitioner had suffered a cardiac ailment. Though it is stated that there was an assault, it is not known as to why the petitioner had not pursued the case thereafter. It is also not stated in the said medical report that the petitioner was assaulted by a known person.

8. Heard both sides and perused the records.

9. Admittedly, the petitioner and the first of the proposed accused are siblings. The remaining proposed accused are the children of the first proposed accused. The respondent Police have stated in their report that the movable properties were partitioned in the presence of elders. The petitioner is unable to deny the said statement. In any case, the said issue cannot be adjudicated by the Police. It is for the petitioner to seek partition of the properties if it is his claim that the properties had not been partitioned in accordance with law. As regards the alleged assault, it is not known as to why the petitioner had not immediately



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lodged a complaint after the occurrence. The hospital records produced by the petitioner do not help in any manner to infer that the proposed accused had assaulted the petitioner.

10. From the above facts, it is seen that the learned Magistrate had found that the complaint of the petitioner cannot be registered as an FIR. The respondent Police had also found that the petitioner had made a false claim with regard to his right over the movable properties and in any event, it is a matter to be adjudicated only by a Civil Court.

11. Hence, for the reasons stated above, this Court does not find any infirmity either in the report of the respondent Police or in the order passed by the learned Magistrate. Hence, the criminal revision fails and the same is dismissed.

07.01.2026

Index : Yes/No

Speaking order : Yes/No

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To

1.The V Metropolitan Magistrate Court, Egmore,
Chennai.

2.The Inspector of Police
K-8 Arumbakkam Police Station
Arumbakkam, Chennai 600 106.

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3. The Public Prosecutor, High Court, Madras.

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