



WEB COPY

Crl. O.P. No.121 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-01-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

Ctl. O.P. No.121 of 2026

Sankar

..Petitioner

Vs

1. The Inspector of Police,
Jeyankondam Police Station,
Jayankondam,
Ariyalur District.
2. Umarani
3. Santhoshkumar
4. Selvarani

..Respondent(s)

PRAYER Criminal Original Petition is filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita to set aside the order in Crl.R.C.No.7/2023 dated 27.02.2024 on the file of Principal District and Sessions Court, Ariyalur by confirming the order in Crl.M.P.No.1676/2023 dated 16.05.2023 on the file of Judicial Magistrate Court No.I, Jayakondam.

For Petitioner : Mr.C.Venkatesan

For Respondents : Mr.S.Santhosh
Government Advocate (Criminal Side)
for R1



ORDER

This Criminal Original Petition has been filed to set aside the order in Crl.R.C.No.7/2023 dated 27.02.2024 on the file of Principal District and Sessions Court, Ariyalur by confirming the order in Crl.M.P.No.1676/2023 dated 16.05.2023 on the file of Judicial Magistrate Court No.I, Jayankondam.

2. The brief facts of the case are as follows :-

2.1. On 22.07.2022, between 06:45 and 7:30 pm, the petitioner was assaulted by one Pichai Pillai and his relatives. Hence, the petitioner gave a complaint to the respondent Police and a case was registered in Crime No.265 of 2022 for the offences punishable under Section 341, 294(b), 323, 324 and 506(II) of IPC and Section 4 of TNPHW Act by the respondent Police. Thereafter, the petitioner's mother filed a petition in Crl.M.P.No.1676 of 2023 under Section 156(3) Cr.P.C. before the learned Judicial Magistrate No.I, Jayankondam, to implicate respondents 2, 3 and 4 in the said FIR in Crime No.265 of 2022. The learned Magistrate, vide order dated 16.05.2023, had dismissed the petition.



2.2. Challenging the order dated 16.05.2023, the petitioner had filed a Criminal Revision in Crl.R.C.No.7 of 2023 before the learned Principal District and Sessions Judge, Ariyalur. The Sessions Judge, vide order dated 27.02.2024 finding that there is no infirmity in the order passed by the learned Magistrate on account of the case being registered, had dismissed the Revision. Aggrieved over the same, the present petition has been filed.

3. It is well settled that a revision petition ought to be preferred before the Sessions Court under Section 397 of Cr.P.C. Once the revision is dismissed, a subsequent petition under Section 482 Cr.P.C., before the High Court challenging the very same order would, in substance, amount to a second revision, which is specifically barred under Section 397(3) of Cr.P.C. The inherent powers of this Court under Section 482 Cr.P.C. cannot be invoked to circumvent such a statutory bar. However, no doubt, in certain exceptional circumstances, this Court can entertain a petition filed under Section 482 Cr.P.C.

4. But, in the present case, no such exceptional circumstance has been made out warranting interference under Section 482 Cr.P.C. Therefore, the present petition, being in the nature of a second revision, is not maintainable and is liable to be dismissed.



5. Accordingly, this Criminal Original Petition stands dismissed.

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Neutral Citation: Yes/No
MRN

To

1. The Inspector of Police,
Jeyankondam Police Station,
Jayankondam,
Ariyalur District.
2. The Principal District and Sessions Court,
Ariyalur.
3. The Judicial Magistrate Court No.I,
Jayankondam.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

MRN

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