



Crl.R.C(MD)No.561 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.02.2026**

CORAM

THE HONOURABLE **MR.JUSTICE MOHAMMED SHAFFIQ**

CRL.R.C.(MD)No.561 of 2019

P.Daniel Prem Anand

... Petitioner

vs.

1. Mr.Muthukumar
Sub Inspector of Police,
Rajapalayam North police Station,
Rajapalayam,
Virudhunagar District.

2. The Inspector of police (law and order),
Rajapalayam North police Station,
Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER: Criminal Revision Petition is filed under Section 397 and 401 of Cr.P.C, to call for the records pertaining to the order passed in Cr.M.P.No.7297 of 2019 on the file of the learned Judicial Magistrate, Rajapalayam dated 03.07.2019 and set aside the same by allowing the Criminal Revision Petition.



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For Petitioner : Mr.A.John Vincent
For R1 : Mr.K.Rajeshwaran
For R2 : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

The present Criminal Revision has been filed challenging the order dated 03.07.2019 passed in Cr.M.P.No. 7297 of 2019 by the learned Judicial Magistrate, Rajapalayam, dismissing the Petition filed by the Petitioner.

2. The case of the Prosecution in brief is that an FIR was registered against the Petitioner and his wife pursuant to which they obtained anticipatory bail and were complying with the condition of appearing before the 2nd Respondent Police. On 04.05.2019 and 05.05.2019, when the Petitioner and his wife went to the police station, they were unlawfully detained for several hours by the 1 Respondent, who abused and humiliated them in filthy and lewd language. On 05.05.2019, the Petitioner's son witnessed the humiliating treatment meted out to his parents and was deeply shock and mentally disturbed, due to which he committed suicide by hanging on 07.05.2019. The Petitioner thereafter



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lodged complaints before the 2nd Respondent police and higher authorities, and as no action was taken, he filed a petition U/s.156(3) Cr.P.C., in Cr.M.P.No. 7297 of 2019 which was dismissed by the learned Judicial Magistrate, Rajapalayam on 03.07.2019, and aggrieved by the same, the present Criminal Revision Petition has been filed.

3. It is submitted that the Petitioner's son had committed suicide on 07.05.2019 and the FIR in Crime No. 181 of 2019 was registered based on the complaint of the Petitioner on the very same day. The Statement of the Complainant and the other witnesses U/s 161(3) of Cr.P.C. discloses the reason as to the suicide committed by the Petitioner's son, i.e., the Petitioner not having allowed his son to stay with his grandmother as requested by his son. On 06.06.2019, based on the above said reasons, a negative Final Report has been filed as 'Action Dropped'.

4 It is submitted that the present Complaint alleging the 1st Respondent's ill-treatment of the Petitioner and his wife resulting in the death of Petitioner's son is only an afterthought and it came to be preferred by the Petitioner only on 30.05.2019 while the earlier FIR in



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Crime No. 181 of 2019 was under investigation. The FIR in Crime No. 181 of 2019 was being investigated by the Inspector of Police, Sankarankovil Town Police Station and subsequently it reveals that the said case had been closed as 'Action Dropped' on 06.06.2019.

5. It is submitted that the grievance of the Petitioner in the Complaint U/s 156(3) Cr.P.C. is arising out of the very same issue which had been pending investigation in Crime No. 181 of 2019. The present closure of the case as Action Dropped stares against the Complainant. If at all the Petitioner/ Complainant is aggrieved over improper action being taken on the suicide of his son, the is aggrieved same is to be agitated in the FIR in Crime No. 181 of 2019. Further, if the Petitioner alleges that the Closure Report had not been served upon him in the manner known to law, it is for him to raise the same before the Revisional Jurisdiction questioning the procedure adopted and that being so, there cannot be a fresh FIR for the very same cause of action which had been investigated. Therefore, the Complaint dated 30.05.2019 cannot be entertained.



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6. The learned counsel for petitioner would only request that liberty be granted to petitioner to challenge "Action Dropped" report dated 06.06.2019.

7. Recording the same, criminal revision petition stands closed with liberty to petitioner to challenge the same in the manner known to law. No costs.

25.02.2026

Index :Yes / No
Internet :Yes / No
NCC :Yes / No
rgm



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MOHAMMED SHAFFIQ, J.

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To:

- 1.The Judicial Magistrate, Rajapalayam
2. Mr.Muthukumar
Sub Inspector of Police,
Rajapalayam North police Station,
Rajapalayam,
Virudhunagar District.
3. The Inspector of police (law and order),
Rajapalayam North police Station,
Rajapalayam,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Order made in
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