

BEFORE THE JUDICIAL MAGISTRATE COURT, PATTUKKOTTAI**PRESENT: Thiru. T. Sudharsan., M.A., LLB.,****Judicial Magistrate, Pattukkottai.****Friday the 17th day of July 2026****CrIMP. No.5447/2025**

E. Veera Rajendran, Age 67/2025
 S/o. Erulappa Thevar,
 18, Kondappa Nayakkan Palayam,
 Pattukkottai Taluk
 Thanjavur District.

.....Petitioner

/Vs/

1. P.Jagadeeshwaran, (R1)
 S/o. Paramasivam,
 Inspector of Police,
 Civil Supply CID,
 Thanjavur.

2. Basker Age 69/2026 (R2)
 S/o. Ramasamy,
 49,Pattu nool kara Street,
 Pattukkottai Taluk,
 Thanjavur District.

.....Respondents

The Petition coming on the day 17.07.2026 before me in the presence of
 Thiru. E.Veera Rajendran, for party in person and
 Thiru.R.Jeeya Veerapandian.,B.Sc.,B.L., for the respondent.

ORDER

1.This petition heard, record perused. On information from one E. Veera Rajendran, S/o. Erulappa Thevar, 18, Kondappa Nayakkan Palayam, Pattukkottai Taluk, Thanjavur District alleged that the 2nd respondent gave a false complaint against him on the file of Pattukkottai Police Station Cr.No. 183/2014 dated 11.05.2014. The applicant

further alleged that on the basis of the false information 1st respondent Mr.P.Jegadeeshwaran, Inspector of Police, Pattukkottai Town PS registered FIR and file a false final report for the offence U/s 294(b), 506(2), 323, 307 IPC. In Assistant Sessions Court discharged the Accused U/s.307 IPC. Finally the said case was ended in acquitted u/s. U/s 294(b), 506(2), IPC and convicted u/s. 323 IPC by this court.

2. It is the allegation of the applicant that the 2nd respondent given a false information U/s 294(b), 506(2), 307, 323 IPC, therefore 1st respondent filed FIR and Final report. Hence the respondent misused the court and entire court process to destroy the life of the applicant. He further alleged that the respondent directly affected the administrative of justice and knowing done with malicious intention.

Notice issue to respondents. On the side of 2nd respondent filed reply and stated the accused was convicted u/s 323 IPC and Rs.1000 as fine the same was conformed by IIIrd Additional District and Sessions Court, Pattukkottai in CA .No.133/2025, now CrI.R.C.(MD).No. 158/2023 this pending before the Honorable High Court of Madurai Bench. Therefore in this time the petitioner cannot stated the 2nd respondent gave false complaint. Futhermore, stated the petitioner already filed petition against the same respondent and the same was dismissed. The petitioner filed this petition with malicious intention therefore liable to be dismissed.

3.On perusal of the documents submitted by the applicant and also on the basis of enquiry made by this court it is seen that for the offences U/s 294(b), 506(2), 323, 307 IPC assigned PRC NO. 51/2015 and committed to the Hon'ble Sessions Court. In Assistant Sessions Court, Pattukkottai assigned S.C No. 200/2019 for Cr.No. 183/2014 and discharged the accused u/s. 307 IPC and remand the case to Judicial Magistrate Court Pattukkottai for conduct the trial. Later that this Court assigned CC No.09/2021

and acquitted the accused u/s. 294(b),506(2) and convicted u/s.323 IPC and passed 3 months simple imprisonment and Rs.1000/- as fine. On prima facie satisfaction this court taken on file in CC No. 09/2021. After trial this court acquitted the applicant as charge against the applicant u/s.294(b),506(2) and convicted and u/s.323 IPC. This applicant filed the appeal before the IIIrd Additional District and Sessions Court, Pattukkottai and assigned Criminal Appeal No. 133/2025. In appeal the sentence passed by this court is confirmed. But, the applicant stated that he was acquitted U/s. 294(b),506(2),and discharged u/s.307 IPC. Hence the allegation of the applicant is the respondent gave false complaint u/s.294(b),506(2) and 307 IPC without any evidence and applicant tried to stab the 2nd respondent with knife.

4. Under this circumstances it is necessary to see Sec 379 of BNSS: -

i. When upon an application made to it in this behalf or otherwise, any court is of opinion that it is expedient in the interests of justice that an inquiry should be made into any offence referred to in clause(b) of sub section (1) of Section 215, Which appears to have been committed in or in relation to a proceeding in that court or as the case may be in respect of a document produced or given in evidence in a proceeding in that court, such court may after such preliminary inquiry, if any as it thinks necessary,

(a). record a finding to that effect.

(b). make a complaint thereof in writing.

(c). send it to a Magistrate of the first class having jurisdiction.

(d). take sufficient security for the appearance of the Accused before such Magistrate or if the alleged offence is non bailable and the court thinks it necessary so to do, send this Accused in custody to such Magistrate and

(e). bind over any person to appear and give evidence before such Magistrate.

ii. The power conferred on a court by sub section (1) in respect of an offence may in any case where that court has neither made a complaint under sub section (1) in respect of that offence nor rejected an application for the making of such complaint, be exercised by the court to which such former court is subordinate within the meaning of sub section (4) of Sec 215.

iii. A complaint made under this section shall be signed,

(a). where the court making the complaint is a High Court, by such officer of the court as the court may appoint.

(b). in any other case, by the presiding officer of the court or by such officer of the court as the court may authorize in writing in this behalf.

(c). in this section Court has the same meaning as in section 215.

from the above section it clearly shows that any offence affecting the administration of Justice the court can enquire it. As per the provision this court also an enquiry. On perusal of records, the information given by the 2nd respondent after trial it was entered in acquitted u/s.294(b),506(2) only and convicted u/s. 323 and the same was confirmed by the appellant court.

5. Now the question is whether the act of the above respondents affecting the administration of justice or the 2nd respondent liable for the improper information and 1st respondent liable for filing the final report. Before that it is necessary to see what is the duty of the SHO at the time of receiving complaint from any person. It is the duty of the SHO if any complaint which disclose cognizable offence to register FIR without scrutinize its genuinity it means he cannot go deep into the merits of the complaint at that stage. It is the only duty to register FIR and thereafter investigate the case. After investigation on the basis he filed final report. In this case also on the basis of complaint he registered FIR and investigate the case, examine the witnesses and filed final report.

1. The complainant was examined as PW1 and he does support the case of prosecution and the applicant was convicted.

2. In the above circumstances it clearly shows that any act done by the 1st respondent person, on basis of the complaint/information by 2nd respondent, it is the duty of the concern police to proceed further. Further it is also the duty of the concern police officer to investigate the case and file final report on that basis. Subsequently, if the accused acquitted some of the sections and convicted under some of the section. We cannot proceed against the defacto complainant and Investigation Officer concern. In this case also the respondents done their act only as per law.

3. Therefore no fault done by the respondent/ defacto complainant and Investigation Officer in this case. The respondent/ defacto complainant has approached the legal system before the police station for his grievance only in accordance with law and Investigation Officer filed the final report. Therefore the allegation against the respondent/ defacto complainant and Investigation Officer is not entertainable. And no

prima facie case made out against the respondents to proceed further. Therefore, this petition is not maintainable. Hence, for the interest of Justice this petition is dismissed.

/Dictated to the Typist, transcribed by him corrected and pronounced by me in open court on this 17th day of July 2026/

Judicial Magistrate,
Pattukkottai.