

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2015

C O R A M

THE HONOURABLE MR.JUSTICE S. NAGAMUTHU

Criminal Revision Case No.663 of 2009

P.Thimmarayan

... Petitioner

Vs.

1. E.Raji

2. Anil

3. Kumar

4. U.M.Gupta

5. Narayanan

6. Ganapathi Ram

7. State rep. by its Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.

... Respondents

Criminal Revision Case filed under Section 397 and 401 of Cr.P.C. to call for the records in C.M.P.No.2488 of 2009 on the file of the learned Judicial Magistrate No.I, Krishnagiri, set aside the order dated 25.06.2009 passed therein.

For petitioner : Mr.C.S.Dhanasekaran

For 7th respondent : Mr.V.Arul,
Government Advocate (Crl. Side)

O R D E R

The petitioner is the complainant in this case. He filed a private complaint in CMP.No.2488 of 2009 on the file of the learned Judicial Magistrate No.I, Krishnagiri. By an order dated 25.06.2009, the learned Magistrate dismissed the same. Challenging the same, the petitioner is before this Court with this Revision.

2. I have heard the learned Counsel for the petitioner and notices were not served on the respondents 1 to 6 and they have not made any appearance. The 7th respondent is represented by the learned Government Advocate (Crl. Side). I have perused the records carefully.

3. The case of the complainant is that his daughter had secured loan from Canara Bank for the purpose of purchasing computers. It is alleged that the bank officials along with others came to the work place and taken away the computers. This, according to the petitioner, amounts to offences under Sections 447 and 379 of IPC.

4. A perusal of the order of the lower court would go to show that the bank officials have repossessed the properties which were purchased out of the hypothecation agreement. This, according to the trial court, is essentially a civil dispute.

5. In my considered opinion too, the dispute is purely civil in nature and the remedy for the petitioner lies elsewhere. Thus, the lower court is right in dismissing the petition filed by the petitioner.

6. In the result, the Criminal Revision Case fails and the same is accordingly dismissed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

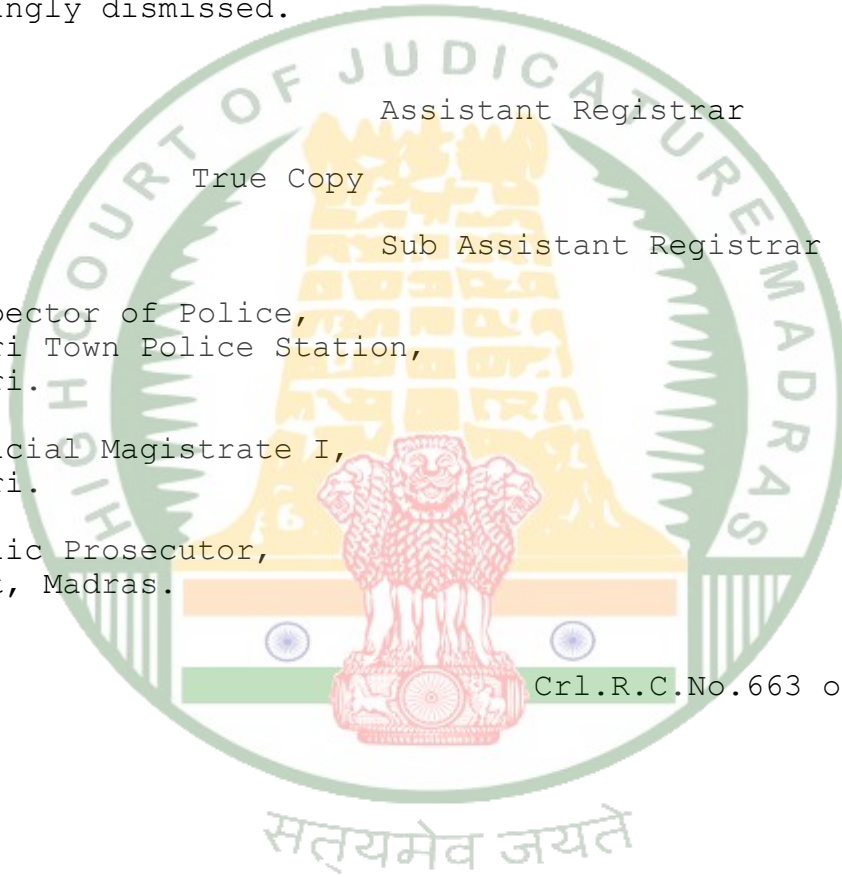
1.The Inspector of Police,
Krishnagiri Town Police Station,
Krishnagiri.

2.The Judicial Magistrate I,
Krishnagiri.

3.The Public Prosecutor,
High Court, Madras.

Nm(co)
krd 30/6

Crl.R.C.No.663 of 2009



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