



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.04.2015

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE S. NAGAMUTHU

Cr1.R.C. (MD) NO. 52 of 2015

M. Chinnasamy

.. Revision Petitioner

Vs.

1. State,
rep. by the Inspector of Police,
Dindigul Taluk Police Station,
Dindigul

2. G. Muniyasamy

3. G. Thangaraj

4. G. Shanmugam

5. M. Palanichamy

.. Respondents

Prayer: Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C., against the judgment dated 01.12.2014 in Cr.M.P.4934 of 2014 by the learned Judicial Magistrate No.I, Dindigul.

For Petitioner :: Mr. R. Senthilkumar

For Respondent :: Mr. P. Kannithevan

Government Advocate (Cr1.side)

ORDER

The petitioner is the de-facto complainant in Crime No.630 of 2012 on the file of the first respondent. The second respondent is the accused as per the First Information Report. The said case was registered for offences under Sections 120(b), 420, 468, 471 IPC. Altogether there were five accused in the case. The Investigating Officer, on completing the investigation, filed a negative final report before the Magistrate reporting that no such offence has been committed and the dispute is purely civil in nature. The lower Court issued notice to the petitioner. He appeared and filed a protest petition requesting the Court not to accept the said final report and to take cognizance of the offences, based on the available materials and that was rejected by the lower Court by order dated 01.12.2014. Thus, the lower Court has accepted the negative report. Challenging the same, the petitioner is before this Court with this revision petition.

2. This revision has come up today for admission.

<https://hcservices.ecourts.gov.in/hcservices/>

3. I have heard the learned counsel for the petitioner and I have also perused the records carefully.



4. According to the case of the petitioner, the petitioner is residing in his own house for which, he made an application in the year 2012 seeking electricity service connection. When the officials of the Tamil Nadu Electricity Board made enquiries, the accused made protest stating that electricity wire should not be drawn across their line. Based on the same, so far, no electricity service connection has been given. According to the petitioner, the accused do not have any land at all anywhere and that the submission made by them before the Tamil Nadu Electricity Board officials is false. Thus, according to the petitioner, makes out an offences under Sections 120(b), 420, 468, 471 IPC.

5. In my considered opinion, the lower Court was right in dismissing the petition because the above application made before the lower Court was verified by the Investigating Officer, which do not make out any offence at all. The dispute appears to be purely civil in nature. Therefore, the lower Court is right in rejecting the application. Thus, I do not find any merit at all in the petition. Accordingly, the Criminal Revision Petition fails and the same is dismissed.

Sd/-
Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

RR
To

- 1.The Judicial Magistrate No.I,
Dindigul.
- 2.The Inspector of Police,
Dindigul Taluk Police Station,
Dindigul
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to MR.R.SENTHIL KUMAR,ADVOCATE IN SR NO.18373

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