

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2017

CORAM:

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Criminal Revision No.605 of 2014

P.G.Manuvel
Petitioner

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Vs

1.Neeleshwar
Municipal engineer,
Valparai.

Present address
Neeleshwar,
Zonal Executive Engineer,
Madurai City,
Madurai.

2. Kanagaraj,
Municipal Work Supervisor,
Valparai,
Coimbatore District.

Present address
Kanagaraj,
Municipal work Supervisor,
Goundampalayam.
Coimbatore.

3. Rajakumaran,
Municipal Executive Officer,
Valparai Municipality,
Coimbatore District.

Present address
Rajakumaran,
Ammankulam Post,
Panayur post,
Sankaran Koil Taluk.

4. Subramaniam
Municipal Engineer,
Valparai Municipality,
Valparai,
Coimbatore District.
Present address
Subramaniam,
Municipal Officer,
Gudalur Municipality,

Gudalur.

5. Manjunath singh,
Municipal work Supervisor,
Valparai Municipality,
Valparai,
Coimbatore District.

Present address
Manjunath singh,
Municipal Work Supervisor,
Sathyamangalam Municipality,
Sathyamangalam.

6. State rep. By
Inspector of Police,
Valparai,
Coimbatore District. ..

Respondents

Prayer:- Criminal Revision filed under Section 397 r/w. 401 of Cr.P.C., to set aside the order in C.M.P.No.1509 of 2013 dated 20.03.2014 on the file of the District Munsif cum Judicial Magistrate, Valparai, Coimbatore District.

For Petitioner : Mr.C.Veeraraghavan

ORDER

Challenging the order of dismissal, passed by the District Munsif cum Judicial Magistrate, Valparai, in C.M.P.No.1509 of 2013 dated 20.03.2014, under Section 203 Cr.P.C, the present revision has been filed.

2. The petitioner has filed a private complaint against the respondents on the ground that he was awarded with a contract to construct a children's park at Valparai, over and above the tender amount and he was asked to spend a sum of Rs.9,56,410/- and after completion of work, they have not paid the amount. Hence, they have committed cheating.

3. After receipt of the complaint, the learned District Munsif cum Judicial magistrate, Valparai, directed the police to conduct enquiry and after enquiry, the police also filed a report stating that there is no evidence to show that the petitioner spent the amount more than the contract amount.

4. After considering the entire material on record, the court below, came to a conclusion that there is no prima facie case made out against the respondents and dismissed the complaint. Now, challenging the above order of dismissal, the present revision has been filed.

5. Heard Mr. C.Veeraraghavan, learned counsel appearing for the petitioner and also perused the materials available on record carefully.

6. The court below after considering the complaint as well as the sworn statement and other materials of the petitioner, came to a conclusion that there is no proof for spending more than the contract amount and also no prima facie has been made out for the offence under Section 418 IPC. and dismissed the complaint.

7. In the above circumstances, I find no irregularity or illegality in the order passed by the court below.

8. In the result, the Criminal Revision Petition is dismissed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1. The District Munsif cum Judicial Magistrate,
Valparai.
2. The Public Prosecutor,
High Court, Madras.

+1 cc to Mr.C.Veeraraghavan, sr.14918.

sj(co)
krd 20/4

Cr1.R.C.No.605 of 2014

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