

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2017

CORAM:

THE HON'BLE MR.JUSTICE C.T. SELVAM

Cr1.R.C.No.403 of 2012
and
M.P.No.1 of 2010

M/s.M.Kasiyammal

.. Petitioner/ Plaintiff

-Vs-

1.Ravilal
S/o.O.K.Patel

2.Kumar
S/o.Seenuvasa Rettayar

3.Ravi
S/o.Kesavakkonar

.. Respondents/Accused

Criminal Revision filed under Section 397 and 401 Cr.P.C. against the order of learned Judicial Magistrate, Thirukovilure, Villupuram District, passed in C.C.No.37 of 2011 dated 09.12.2011.

For Petitioner : Mr.S.Ramajayan

For Respondents: Mr.P.Kannan Kumar

For RR1 & 2

Mr.M.Manokaran

For R3

O R D E R

This revision arises against the order of learned Judicial Magistrate, Thirukovilure, Villupuram District, passed in C.C.No.37 of 2011 dated 09.12.2011.

2. Prosecution case is that on 18.04.2011 at about 8.00.a.m, respondents/A1 to A3 attacked petitioner using wooden logs and an iron rod. Petitioner preferred a complaint before concerned police. Since no action was taken, petitioner sent her complaint by Registered Post on 19.04.2011. As there was no response, petitioner filed a direction petition before this Court for registering her complaint. This Court, under orders

dated 15.06.2011, directed the petitioner to move a private complaint before the appropriate Court. Thereafter, petitioner filed private complaint before the learned Judicial Magistrate, Thirukovilure, Villupuram District. The case was taken on file in C.C.No.37 of 2011. Court below, under orders dated 09.12.2011, dismissed the complaint. Hence, this revision.

3. Heard learned counsel for petitioner and learned counsel for respondents. Perused the materials on records.

4. In dismissing the complaint, Court below found as follows:-

It was the contention of the complainant that there was a relationship between first accused and the complainant's daughter before marriage, owing to which a male child was born to them and thereafter, first accused married another. It is the further contention of complainant that in the presence of elders, first accused agreed to pay a certain sum towards the upkeep of the minor child. However, he had done so only for a limited period. To prove the above contention, no witness was examined on the side of the complainant. While it was the case of complainant that he was admitted in hospital for five days as an in-patient, the Doctor, who examined him had deposed that the complainant was treated as an out-patient. Complainant had deposed that the accused persons assaulted him owing to which, he sustained injuries. The doctor, who treated him had deposed that the complainant has not suffered any injury.

The order of the Court below has been arrived at after due enquiry under Section 202 Cr.P.C., and the same reflects good reasoning.

5. This Court finds no reason to interfere in the order under challenge. This Criminal Revision Case shall stand dismissed.

Sd/-
Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

kmi

To

1.The Judicial Magistrate,
Thirukovilure,
Villupuram District.

2.The Section Officer,
Criminal Section,
High Court Madras.

+1cc to Mr.S.Ramajayam, Advocate, sr.no.63755

+1cc to Mr.Kannan Kumar, Advocate, sr.no.63267

Cr1.R.C.No.403 of 2012

KGK (CO)

RRK (04/06/18)



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