



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2017

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THE HON'BLE MR.JUSTICE V.BHARATHIDASAN

Cr1.R.C(MD) .No.745 of 2017

D.Thomas

... Petitioner

-Vs-

1.S.Guberan Nadar
2.S.Dhanaraj
3.Efsibai Thilagar
4.Nagarajan
5.N.Rajam
6.N.Selvan
7.Seelan Selvaraj
8.K.Misi Esther
9.R.Jessy Rajamani
10.N.Suseelan Santhoshraj

... Respondents

Prayer : Criminal Revision Case filed under Section 397 r/w 401 of the Code of Criminal Procedure, to call for the records in Cr.M.P.No.4219 of 2017 in C.C.No.140 of 2012, on the file of the Learned Judicial Magistrate No.II, Thoothukudi, Thoothukudi District and set aside the order, dated 17.06.2017.

For Petitioner : Mr.A.Thiruvadikumar

O R D E R

This Revision Petition has been filed against the order dismissing the application filed under Section 319 Cr.P.C.,

2.The petitioner is the defacto complainant and he has filed a Private Complaint against the respondents for the offences under Sections 420, 467, 468, 471 of IPC. The Court below taking cognizance and conducted an enquiry under Section 244 Cr.P.C., At this stage, the petitioner filed the petition to add some more accused and the same was dismissed.

3.The complaint is only at the stage of enquiry under Section 244 of Cr.P.C., and at this stage the petitioner cannot maintain the petition under Section 319 Cr.P.C., and there is no illegality or irregularity in the order passed by the learned Judicial Magistrate No.II, Thoothukudi. Hence, this Revision is dismissed. During the



trial if any other person appears to commit any offence, it is always open to the petitioner to file appropriate application, if so advised. No costs.

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Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Thoothukudi,
Thoothukudi District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.A.THIRUVADI KUMAR, ADVOCATE IN SR No. 80455

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TE/JC/SAR-II : 04/10/2017 : 2P/4C

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