

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 12.04.2018
CORAM:
THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN
Crl.R.C.No.276 of 2018
and
Crl.M.P.No.3136 of 2018

E.Palani

...Petitioner/Petitioner

..Vs..

1.D.Baskar
2.Karthick
3. The Inspector of Police,
H4, Korrukupet Police Station,
Chennai
(R3 is suo moto impleaded as per the order
of the Hon'ble Court dated 12.03.2018 made in
Crl.R.C.No.276 of 2018) ...Respondents/Accused

PRAYER: Petition filed under Section 397 read with 401 of the
Criminal Procedure Code, to set aside the order dated
28.12.2016 made in M.P.No.3774 of 2015 on the file of the
learned XV Metropolitan Magistrate George Town, Chennai by
allowing the revision petition.

For Petitioner : Mr.M.Saravana Kumar

For R1 & R2 : Mr.R.Ravindran

For R3 : Mr.R.Surya Prakash,
Govt.Advocate (Crl.side)

सत्यमेव जयते
O R D E R

The learned counsel for the petitioner has submitted that
the trial Court erred in not taking the private complaint filed
against the cognizable offence and the accused persons have
committed the offences U/s.447,294(b) and 506 (ii) of I.P.C r/w
Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.

2. In support of the private complaint, the complainant has
examined himself as first witness and his wife was examined as
second witness, while, his daughter and son were examined as
witnesses 3 and 4. After going through the evidence of the
witnesses, the trial Court has come to the conclusion that the
complaint is of civil in nature and accordingly, rejected the

complaint. Aggreiving by the said order, the complainant preferred this criminal revision.

3. After going through the records as well as evidence of the 4 witnesses deposed before the Court below and also taking note of the fact that R.C.O.P.No.1244 of 2013 which now appears to have been ordered and eviction has been ordered for willful default in payment of arrears of rent and subsequently, it appears that the possession has also taken by the landlord, the contesting private respondent herein. After going through the orders passed by the Court below and considering the submissions made by the learned counsel for the petitioner, I do not find any illegality or irregularity in the order passed in the lower court.

4. Accordingly, this Criminal Revision Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

nvi
To
The XV Metropolitan Magistrate George Town, Chennai
+1 cc to Mr.M.Saravana kumar Advocate sr 27014

Cr1.R.C.No.276 of 2018 and
Cr1.M.P.No.3136 of 2018

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