

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2018

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Criminal Revision Case No.120 of 2011

S. Natesan

...Petitioner

vs.

1 State represented by
the Sub-Inspector of Police
Velagoundampatty Police Station
Namakkal

2 T.N. Gurusamy

3 Senkottuvel

4 S.P. Thirumalai

5 Palaniappan

6 Nallayan

7 Kaliannan

8 R. Jayavel

9 P. Gurusamy

10 Muthusamy

11 S. Sanmugam

12 S. Gopal

13 S. Rathinam

14 Kaliannan

...Respondents

(RR 2 to 14 impleaded as per order dated 21.03.2011 passed in
M.P.No.1 of 2011)

Criminal Revision Case filed under Section 397 and 401

Cr.P.C. seeking to set aside the order dated 30.12.2008 passed by the Judicial Magistrate No.I, Namakkal in C.M.P. No.4093 of 2008.

For petitioner Mr. B. Vijayakumar
For R1 Mrs. Kritika Kamal P.
 Government Advocate (Crl. Side)
For RR 2- 14 Mr. C.D. Johnson

ORDER

This Criminal Revision Case has been filed seeking to set aside the order dated 30.12.2008 passed in C.M.P. No.4093 of 2008 on the file of the Judicial Magistrate Court No.I, Namakkal.

2 The petitioner herein filed a private complaint, which was taken on file in C.M.P. No.4093 of 2008 by the Judicial Magistrate No.I, Namakkal. The sworn statement of the complainant and two witnesses were recorded. Thereafter, the learned Magistrate, by the impugned order dated 30.12.2008, dismissed C.M.P. No.4093 of 2008, under Section 203 Cr.P.C., 1973, aggrieved by which, the complainant is before this Court.

3 Heard Mr. B. Vijayakumar, learned counsel for the petitioner/complainant, Mrs. Kritika Kamal, P., learned Government Advocate (Crl. Side) appearing for the first respondent-State and Mr.C.D. Johnson, learned counsel for respondents to 2 to 14, who are the proposed accused.

4 This Court perused the complaint and the sworn statement of the three witnesses. The allegation levelled by the complainant/petitioner relates to the period from 1995 to 1998.

5 It is the case of the petitioner/complainant that he had obtained certain properties by way of partition and that his brothers, in collusion with the officials of the Registration and Police Departments, have prevented him and his family members from enjoying the said properties.

6 At the outset, it is pertinent to point out that the complaint and the sworn statements do not specifically mention about the commission of any offence as required under Section 2 (d) Cr.P.C. Sweeping and general allegations have been made against the officials of the Registration and Police Departments and the brothers of the petitioner/complainant. The Trial Court has also noted that the petitioner/complainant had given a complaint earlier, based on which, a regular case has been registered by the police under Section 384 IPC in the year 2007 and final report has been filed.

7 In such perspective of the matter, this Court does not find any impropriety or illegality in the impugned order passed by the learned Magistrate, warranting interference.

In the result, this Criminal Revision Case is dismissed as being devoid of merits.

Sd/-
Assistant Registrar(

//True Copy//

Sub Assistant Registrar

cad

To

1 The Sub-Inspector of Police
Velagoundampatty Police Station
Namakkal

2 The Judicial Magistrate Court No.I
Namakkal

3 The Public Prosecutor
Madras High Court
Chennai 600 104

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

+1cc to Mr.B.Vijayakumar, Advocate, S.R.No.81595

Cr1.R.C. No.120 of 2011

VSNI (CO)
GSP (13/12/2018)

सत्यमेव जयते

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