



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.R.C.(MD) No.122 of 2018

G.Subburaj

... Revision Petitioner/
Petitioner / Defacto complainant

vs.

1.The State Rep. through
The Inspector of Police,
Mayiladumparai Police Station,
Theni District.

... Revision Respondent /
1st Respondent/Complainant

2.Tamilarasan
3.Ponkumar
4.Prabakaran
5.Murugeswari
6.Vanthana Devi

... Revision Respondents /
Respondents 2 to 6 /Accused

PRAYER: Criminal revision filed, under Section 397 r/w 401 Cr.P.C., to call for the records from Learned District Munsif cum Judicial Magistrate, Aandipatti pertaining to the order passed in Cr.M.P.No.5015 of 2017 and set aside the same.

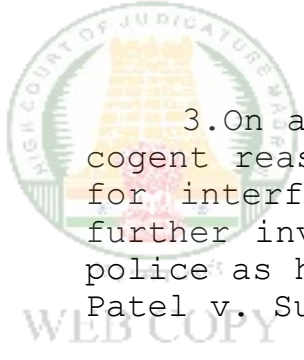
For Petitioner : Mr.S.Gladson

For 1st Respondent : Mrs.S.Bharathi
Government Advocate

O R D E R

On the complaint lodged by the petitioner, the respondent police registered a case in Crime No.134 of 2015 on 24.11.2015 under Sections 147, 109, 448, 294(b), 324, 323, 420 and 506(ii) I.P.C. against Tamilarasan and four named and 20 unnamed accused and after completing the investigation, police have filed closure report, closing the case as mistake of fact. The petitioner filed a protest application in Cr1.M.P.No.5015 of 2017 in Crime No.134 of 2015, which has been dismissed by the learned District Munsif cum Judicial Magistrate, Aandipatti on 06.01.2018, challenging which the petitioner has filed the present Criminal Revision Case.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the first respondent.



3. On a reading of the impugned order, the trial Court has given cogent reason for accepting the closure report, which does not call for interference. That apart as pointed out by the trial Court, further investigation post cognizance can be sought for only by the police as held by the Hon'ble Supreme Court in Amrutbhai Shambhubhai Patel v. Sumanbhai [(2017) 4 SCC 177].

4. Hence, this Criminal Revision Case is closed with liberty to the petitioner to workout his remedy in accordance with law.

Sd/-

Assistant Registrar (Crl.Side)

/True copy/

Sub Assistant Registrar

To:

1. The District Munsif Cum Judicial Magistrate,
Aandipatti.

2. The Inspector of Police,
Mayiladumparai Police Station,
Theni District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1CC TO M/S.D.S.HAROON PRASHEED, ADVOCATE, SR NO.53121

Crl.R.C.(MD) No.122 of 2018
05.03.2018

sj

MS/SV-MMS/SAR-3/15.03.2018/2P.5C