



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.09.2018**

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.[MD] No.21376 of 2016

T.Balamurugan

: Petitioner

vs.

1.State by
Inspector of Police,
Abhiramam Police Station,
Ramnad District.

2.Govindan

3.Muniyasamy

4.Ramar

5.Muthuselvam

6.Rajeswari

7.Kaleeswari

8.Sudha

9.Dhavam

10.Sannasi

11.Poomalai

12.Udaiyan

13.Panneer Selvam

: Respondents

PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order passed by the learned Principal District Judge, Ramanathapuram, dismissing the revision petition in Crl.R.P.No.16 of 2015 dated 22.04.2016, confirming the order passed by the learned Judicial Magistrate, Ramnad in C.C.No.70 of 2015 dated 29.05.2015.



For Petitioner: Mr.S.Muthuselvam
For R1 : Mr.K.Suyambulinga Bharathi
Government Advocate (Crl.Side)

ORDER

WEB COPY This criminal original petition has been filed challenging the order passed by the learned Principal District Judge, Ramanathapuram, dismissing the revision petition in Crl.R.P.No.16 of 2015 dated 22.04.2016, confirming the order passed by the learned Judicial Magistrate, Kamudhi in C.C.No.70 of 2015 dated 29.05.2015.

2.The petitioner had filed a private complaint before the learned Judicial Magistrate, Kamudhi. On appreciation of entire materials, the learned Magistrate was pleased to dismiss the complaint under Section 203 Cr.P.C., on the ground that there are absolutely no materials to take cognizance of the complaint. Aggrieved by the same, the petitioner filed a criminal revision petition in Crl.R.P.No.16 of 2015 before the Sessions Court, Ramanathapuram. The learned Judge, Sessions Court, Ramanathapuram, on appreciation of the entire materials and also after agreeing with the findings given by the Court below, came to a categorical conclusion that there is no ground made out to interfere with the order of the learned Judicial Magistrate, Kamudhi.

3.This Court sitting under Section 482 Cr.P.C., cannot interfere with the findings of both the Courts below, unless this Court is able to find illegality or infirmity on the face of the orders passed by both the Courts below. This Court is convinced with the orders passed by the Courts below and both the Courts below have given sufficient reasons for dismissing the complaint filed by the petitioner, under Section 203 Cr.P.C.,

4.In view of the above, this criminal original petition is dismissed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar(CS-III)

To

1.The Principal District Judge,
Ramanathapuram,

<https://hcservices.ecourts.gov.in/hcservices/>

2.The Judicial Magistrate,
Kamudhi.



3.The Inspector of Police,
Abhiramam Police Station,
Ramnad District.

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

+ 1 CC TO MR.R.BABU JAGANATH, ADVOCATE IN SR NO.86491

MM

BU/PM/SAR-III:01.11.2018 : 3P/6C

Cr1.O.P.[MD] No.21376 of 2016
24.09.2018