



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.01.2018

CORAM:

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THE HONOURABLE MR. JUSTICE P.N. PRAKASH

Crl.R.C. (MD) No.924 of 2017

Sabapathy ... Petitioner/*De facto* Complainant

vs.

1. The Inspector of Police,
Town North Police Station,
Dindigul, Dindigul District. ... Respondent/Complainant

2. Natham R.Viswanathan
Ex.Minister
Natham, Dindigul ... Respondent/Accused

PRAYER: Criminal revision filed, under Section 397 r/w 401 Cr.P.C., to call for the records relating to the order passed in Crl.M.P.No.4944 of 2017, dated 07.11.2017, on the file of the Judicial Magistrate No.II, Dindigul and set aside the same.

For Petitioner : Mr.Ilanchezhian
for Mr.V.Karuna

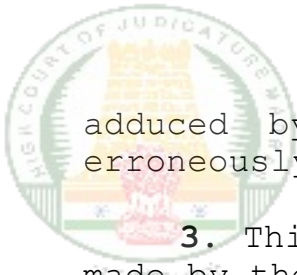
For Respondents : Mr.C.Mayilvahana Rajendran
Addl. Public Prosecutor for R1
No appearance for R2

ORDER

The petitioner lodged a complaint and based on which, the respondent - Police registered a case in Crime No.129 of 2017, under Sections 420 and 506(1) I.P.C., and after completion of investigation, filed a closure report closing the F.I.R., as mistake of fact. On notice to the petitioner, he filed a protest application, which has been taken as Cr.M.P.No.4944 of 2017, by the learned Judicial Magistrate No.II, Dindigul, who by order dated 07.11.2017, has dismissed the protest application and accepted the closure report. Challenging the same, the petitioner has filed the present revision.

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2. The learned counsel for the petitioner contended that the learned Judicial Magistrate has failed to appreciate the evidence



adduced by the petitioner in the protest application and has erroneously passed the impugned order accepting the closure report.

3. This Court gave its anxious consideration to the submissions made by the learned counsel for the petitioner.

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4. It is seen that the case of the petitioner is that he is running M/s.S.V.R.Travels and S.V.R.Land Promoters and that the accused is a Minister. It is the further case of the petitioner that he used to give monies to the friends and relatives of the Minister as and when he was directed and accordingly, on the direction of the Minister, he handed over a sum of Rs.4,97,90,700/- to various persons, but they did not return the amount and hence, the complaint.

5. The contention of the petitioner that he disbursed such a huge amount to the persons named by the Minister without even producing any source for same and obtaining receipts from them defies credulity. In such view of the matter, this Court is of the view that this is not a fit case, in which the order of the Court below requires to be interfered with.

6. In the result, the criminal revision is dismissed.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To:

1. The Judicial Magistrate No.II,
Dindigul.
2. -do- through The Chief Judicial Magistrate,
Dindigul.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
4. The Inspector of Police,
Town North Police Station,
Dindigul, Dindigul District.

+ 1 CC TO Mr.V.ILLANCHEZIAN, ADVOCATE IN SR No. 40847

+ 1 CC TO Mr.C.MAYIL VAHANA RAJENDRAN, ADVOCATE IN SR No. 40943

KRK

TE/SV-MMS/SAR-1 : 24/01/2018 : 2P/7C

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