



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.09.2018

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WEB COPY

THE HON'BLE DR.JUSTICE G.JAYACHANDRAN

Crl.R.C.(MD) No.916 and 939 of 2017

and

Crl.M.P.(MD)No.11199 and 11478 of 2017

- 1.Subash
- 2.Ganesh Murugan
- 3.Sivakumar
- 4.Siva Prabhakaran

...Petitioners / A Party 1 to 4
(in Crl.R.C.(MD)No.916 of 2017)

- 1.Kumarapillai
- 2.J.Manoj Kumar
- 3.C.Jeyakrishnan
- 4.Arunkumar Yadav

....Petitioners / B Party
(in Crl.R.C.(MD)No.939 of 2017)

/Vs./

- 1.The State of Tamil Nadu,
Through the Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.

- 2.The Officer-in-Charge,
Thattapparai Police Station,
Thoothukudi District.

- 3.Kumarapillai
- 4.Manoj Kumar
- 5.Jeyakrishnan
- 6.Arun Kumar yadav

- 7.The Sub Divisional Magistrate,
Thoothukudi District.

...Respondents / Reporting Police Officer and
Police Officer to whom warrant of attachment
has been issued and B Party 1 to 4
(in Crl.R.C.(MD)No.916 of 2017)

(R7 impleaded as per order of this Court made in Crl.M.P.(MD)
No.11231/17 in Crl.RC(MD)No.916 of 2017 dated 08.12.2017)



1.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.

2.The Officer-in-Charge,
(Station House Officer)
Thattapparai Police Station,
Thoothukudi District.

3.G. Subash

4.Ganesh Murugan

5.Sivakumar.S

6.Siva Prabhakaran

...Respondents / A party
(in CrI.R.C.(MD)No.939 of 2017)

COMMON PRAYER:Criminal Revision Petitions - filed under Section 397 r/w 401 of Criminal Procedure Code, to call for and examine the records of the Sub Divisional Magistrate, Thoothukudi, in Roc.No.B1/Cr.P.C.145/MC4/2017 dated 04.12.2017 on his file, set aside the same.

For Petitioners : Mr.K.N.Thambi
For RR 1, 2 and 7 : Ms.S.Bharathi
Government Advocate
For R3 to R6 : Mr.Perumbulavil Radhakrishnan
(for CrI.R.C.(MD)No.916 of 2017)

For Petitioners : Mr.Perumbulavil Radhakrishnan
For Respondent : Mr.A.Robinson (for R1 and R2)
Government Advocate
Mr.K.N.Thambi (for R3 to R6)

(for CrI.R.C.(MD)No.939 of 2017)

COMMON ORDER

Both the revision petitions are directed against the order passed by the learned Sub Divisional Magistrate, Thoothukudi, in proceedings in Roc.No.B1/Cr.P.C.145/MC4/2017, dated 04.12.2017.

2. It is submitted by the learned counsel that the matter has been referred to arbitration.

3. When this matter was heard by another Judge of this Court, during the month of January 2018, a conditional order has been passed on 08.01.2018 imposing some conditions upon the petitioners in CrI.RC(MD)No.916 of 2017 to lift the materials.

However, the petitioners in CrI.RC(MD)No.916 of 2017 are not able



to comply the said interim order. Till date, the petitioners could not make arrangements for money to comply with the said order.

4. In view of the above, since no workable solution is possible at the present stage, this Court is of the opinion that there is no necessity to interfere with the order passed by the Sub Divisional Magistrate, Thoothukudi, in Roc.No.B1/Cr.P.C.145/MC4/2017, date 04.12.2017, which is under challenge in these Criminal Revision Petitions. On the other hand, the petitioners shall workout their remedy before the Arbitrator, before whom the dispute between the parties is pending.

5. Accordingly, these Criminal Revision Petitions are dismissed. Consequently, connected Miscellaneous Petitions are dismissed.

Sd/-

Assistant Registrar (Crl Side)

// True Copy //

Sub Assistant Registrar(CS-IV)

To

1.The Sub Divisional Magistrate, Thoothukudi.

2.The Inspector of Police,
Pudukottai Police Station,
Thoothukudi District.

3.The Officer-in-Charge,
(Station House Officer)
Thattapparai Police Station,
Thoothukudi District.

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

+2 CC To MR.K.N.THAMPI, Advocate SR. NO. 81875 & 81874
+2 CC To Mr.Perumbulavil Radhakrishnan,
Advocate SR. NO. 81932 & 81933

Crl.R.C.(MD) No.916 and 939 of 2017

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