



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 22.11.2018

CORAM :

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

CRL.R.C. (MD) No.599 of 2018

F.Mercy Arockia Mary

... Petitioner

/Vs./

1. State by
The Inspector of Police,
Vallam Police Station,
Vallam, Thanjavur District.

2. Lawrence @ Arockia Samy
3. Sathish
4. Napoleon
5. Stalin
6. Stella

... Respondents

Prayer: Revision - filed under Sections 397 and 401 Cr.P.C., to set aside the order passed in C.M.P.No.6096 of 2018 dated 24.09.2018 on the file of the Judicial Magistrate-II, Thanjavur and allow this Criminal Revision Petition.

For Petitioner : Mr.N.Sankar Ganesh
For R-1 : Ms.S.Bharathi
Government Advocate

ORDER

This Criminal Revision Case has been filed challenging the order in C.M.P.No.6096 of 2018 dated 24.09.2018 on the file of the Judicial Magistrate-II, Thanjavur.

2. The father-in-law of the petitioner bought a land in S.No.518/26 for a sum of Rs.22,300/- from one Ubagaradoss. The petitioner's family has been in possession and enjoyment of the very same property for the past 17 years. After the demise of Ubagaradoss, the private respondents disputed over the property and filed a suit in O.S.No.78 of 2016 on the file of the Tanjore District and Sessions Court, against the husband and mother-in-law of the petitioner, which is pending. The petitioner filed C.M.A.No.4 of 2017 on the file of the Sub Court, Tanjore, which is also pending.



3. In the meanwhile, the private respondents barged into the petitioner's house with Aruval and wooden log, abused her in filthy language, attacked her and also criminally insulted her by tearing out her saree and damaged the household articles worth about Rs.10,000/-. The petitioner filed a complaint before Vallam Police Station and also before the Superintendent of Police through online. But, no action has been taken on both sides. Therefore, the petitioner filed a petition in C.M.P.No.6096 of 2018 before the file of the Judicial Magistrate-II, Thanjavur, and by order dated 24.09.2018, the learned judge dismissed the petition. Hence, the petitioner filed this criminal revision case.

4. I have perused the materials available on record.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the first respondent.

6. There is no merit in this criminal revision case. Accordingly, this criminal revision case is dismissed with liberty to the petitioner to file a fresh complaint on the same cause of action.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-)

To

1. The Judicial Magistrate-II,
Thanjavur.
2. The Inspector of Police,
Vallam Police Station,
Vallam, Thanjavur District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO Mr.N.SHANKAR GANESH, ADVOCATE IN SR No. 96456

SM
TE/SV/SAR-3 : 20/12/2018 : 2P/5C

Order made in
CRL.R.C. (MD) No.599 of 2018
22.11.2018