

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.04.2019

Coram:

THE HONOURABLE DR. JUSTICE G. JAYACHANDRAN

Criminal Revision Case No.414 of 2012

Mrs.Lalitha

.. Petitioner/Complainant

/versus/

- 1.Ravi Kumar
- 2.N.Sumathi
- 3.K.Krishnachari
- 4.K.Palaniammal
- 5.V.Nataraj
- 6.N.Parvathi
- 7.P.Mohankumar
- 8.Dhanan @ Backkiadhurka
- 9.P.Chakkravarthy
- 10.Kalaiselvi
- 11.Ganesan
- 12.K.Narasimman
- 13.M.Murugan
- 14.Saradha
- 15.Adhilakshmi
- 16.Jayalakshmi
- 17.V.Ramesh
- 18.Madeshwari
- 19.T.Alphones Ravi
- 20.A.Mary
- 21.C.Govindaraj
- 22.G.Govindammal
- 23.G.Madhayan
- 24.C.Thangavel
- 25.T.Regina
- 26.T.Ganesan

.. Respondents /Accused

Criminal Revision Case filed under Section 397 r/w 401 of the Criminal Procedure Code to set aside the order of acquittal dated 16.12.2011 made in C.C.No.10 of 2006 on the file of Judicial Magistrate No.I, Krishnagiri.

For Petitioner :Mr.J.Nandagopal

For Respondents :Mr.K.Thiruvenkadam for R1 to R6, R8 to R10, R12 to R14

O R D E R

This revision petition is filed aggrieved by the dismissal of the complaint filed by the revision petitioner herein alleging second marriage of the first respondent, while first marriage with the revision petitioner was in force and subsisting, the other relatives and villagers, who have alleged to have attended the marriage, had arrayed as respondents 2 to 26.

2. In this case, when the matter was posted for recording the evidence of the complainant, she was absent and there was no representation on her behalf till 05.30 p.m. Recording the said fact and pointing out that as per the direction of the Chief Judicial Magistrate, Krishnagiri in R.O.C.No.2718/2011/B, dated 20.10.2011, wherein the Magistrate was directed to dispose of the case within a period of one month from the date of receipt of copy of the order and the same was known to the complainant and the matter was specifically adjourned to 16.12.2011 for examination of witnesses. On that day, the petitioner as well as her counsel has stayed away from the Court and left the matter unrepresented. For that reason the trial Court has dismissed the complaint.

3. The learned counsel appearing for the revision petitioner would submit that on the particular date, the revision petitioner was not well and affected by viral fever as a result she was not able to attend the Court and an opportunity may be given to her to conduct the case. So that she will be not deprived of getting justice.

4. Normally, this Court would entertain such revision petition, If there is some iota of genuine in the contention. Whereas, in this case, the private complaint, which was given in the year 2006 against 26 persons has not been proceeded, inspite of specific direction by the Chief Judicial Magistrate to the Judicial Magistrate, since the petitioner/complainant has deliberately delayed the process. The Judicial Magistrate has recorded the reasons and dismissed the complaint. Filing the private complaint for the offence of bigamy against 26 respondents on the face of it appears to be a malafide and tainted exercise to harass the respondents. Even if an opportunity is given, it will be again not to seek justice but to harass the respondents. It is also to be pointed out that till date, the petitioner has not even taken care to serve notice to all the respondents, though the revision was filed 6 years ago.

5. In such circumstances, it will not be conducive to entertain this petition. Hence, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar(Insp.cell)

//True copy//

Sub Assistant Registrar

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To

1.Judicial Magistrate No.I, Krishnagiri.

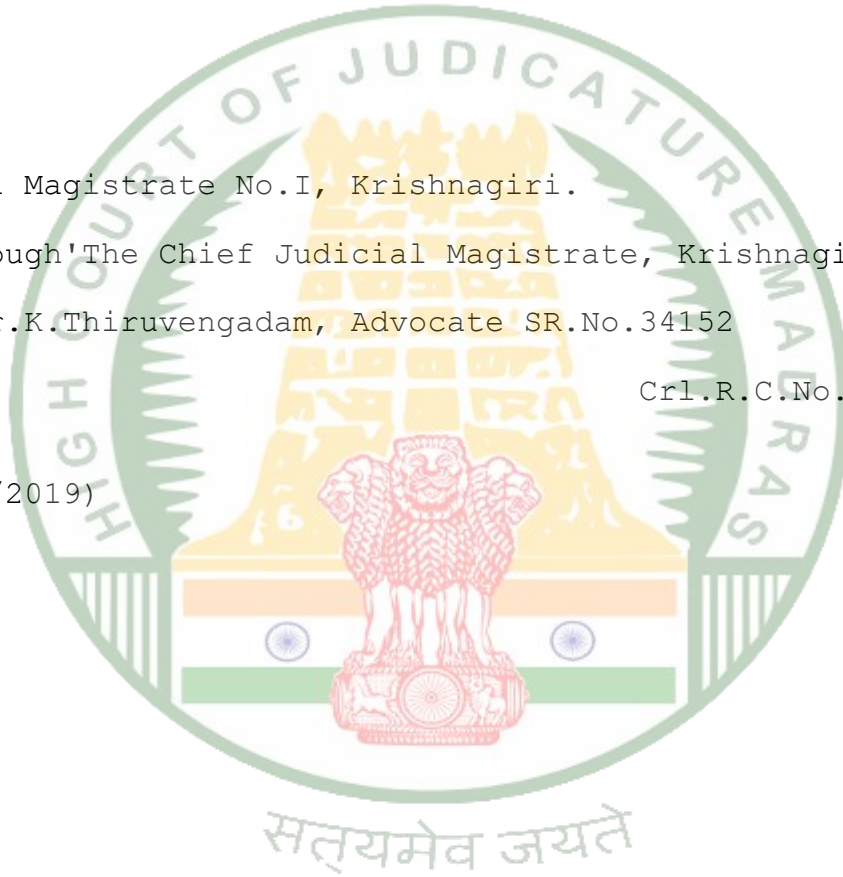
2.-do-Through The Chief Judicial Magistrate, Krishnagiri.

+1cc to Mr.K.Thiruvengadam, Advocate SR.No.34152

Cr1.R.C.No.414 of 2012

SV(CO)

GMV(31/05/2019)



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