



**BEFORE THE MADURAI BENCH OF THE MADRAS HIGH COURT**  
**DATE : 25.09.2019**  
**CORAM**

**THE HONOURABLE MR. JUSTICE V.PARTHIBAN**

**CRL. R.C. (MD) NO. 704 OF 2019**

Leela

.. Petitioner

**- Vs -**

The Inspector of Police  
District Crime Branch  
SP Office, Nagercoil.

.. Respondent

Criminal Revision Case filed u/s 397 r/w 401 of the Code of Criminal Procedure, against the order dated 06.08.2019, passed by the learned Judicial Magistrate-I, Kuzhithurai, Cr. M.P. No.3090 of 2019, set aside the same and consequently direct the respondent to conduct investigation on the basis of the petitioner's complaint dated 26.12.18 and 10.4.19.

For Petitioner : Mr. K.P.Narayanakumar

For Respondents : Ms. M.Anantha Devi, GA (Crl. Side)

**ORDER**

Against the dismissal of the petition filed by the petitioner u/s 156 (3) Cr.P.C. by the learned Judicial Magistrate No.I, Kuzhithurai, the present revision has been preferred.

2. It is the case of the petitioner that the accused had obtained her signature under false pretenses and have filed the case before the Sub Court, Kuzhithurai. Therefore, petitioner has preferred the petition u/s 156 (3) Cr.P.C. before the court below for a direction on the respondent to register the complaint and conduct investigation.

3. On a consideration of the averment, the court below, held that the already a case in O.S. No.221/18 has been filed against the petitioner and the husband of the petitioner on the file of the Sub Court, Kuzhithurai for return of a sum of Rs.5,23,748/= and, therefore, it was held that the dispute between the petitioner and the accused was purely civil in nature and the petitioner has filed the present complaint to bring the matter under the realm of criminal law, which cannot be entertained and, accordingly, dismissed the petition filed u/s 156 (3) Cr.P.C.

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

4. This Court heard the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate



(Crl. Side) appearing for the respondent and perused the materials available on record.

5. A perusal of the order passed by the court below clearly reveals that the transaction alleged by the petitioner is purely civil in nature and by trying to file the complaint with the police, the petitioner is trying to bring a civil dispute within the realm of criminal law. The trial court has properly appreciated the above said fact and has rightly not entertained the petition and dismissed the same. No fault can be found either with the reasoning or with the order passed by the court below. The order of the court below is a well considered one on sound reasoning and, therefore, this Court finds no reason to interfere with the said order.

6. The revision, being devoid of merits deserves to be dismissed and, accordingly, the same is dismissed.

Sd/-

Assistant Registrar (C.O)

// True Copy //

Sub Assistant Registrar(CS )

To

The Judicial Magistrate  
Kuzhithurai.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate SR-89896.

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**GLN**

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