



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2019

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.O.P(MD).No.13941 of 2019

M.Kuppammal

... Petitioner/Petitioner/Complainant

Vs.

1. Muthukrishnasamy
2. Vasantha
3. Murugan
4. Murugeswari

... Respondents/Respondents/Respondents

Prayer: Criminal Original Petition filed under section 482 of Criminal Procedure Code, to set aside the order passed by the Principal Sessions Court, Virudhunagar District at Srivilliputhur in Crl.R.P.No.18 of 2011 on 8.7.2019 in confirming the order passed by the Judicial Magistrate Court No.II Srivilliputur in S.T.C.No.153 of 2010, on 03.05.2011 and allow this Criminal Original Petition.

For Petitioner : Mr.M.Jothi Basu

O R D E R

This Criminal Original petition has been filed to to set aside the order passed by the Principal Sessions Court, Virudhunagar District at Srivilliputhur in Crl.R.P.No.18 of 2011 on 8.7.2019 in confirming the order passed by the Judicial Magistrate Court No.II Srivilliputur in S.T.C.No.153 of 2010, on 03.05.2011 and allow this Criminal Original Petition.

2. It is seen that the petitioner lodged a complaint before the concerned jurisdictional police and the same was not registered and no action has been taken on the complaint lodged by the petitioner. Therefore the petitioner lodged a private complaint before the learned Judicial Magistrate No.II, Srivilliputhur and the learned Magistrate after conducting detailed enquiry and after recording statements of the complainant as well as the supporting witnesses found that no prima facie case has been made out to take action against the accused persons. The petitioner preferred revision and the same was also dismissed by the sessions court. It is also seen that the occurrence took place on 11.06.2010, whereas the complaint was lodged only on 20.07.2010. Further the allegations are also very simply and privy in nature.



3. Therefore both the Courts have rightly held that there is no prima facie case made out on the complaint lodged by the petitioner. Hence this Court finds no infirmity or illegality in the order passed by both the Courts below.

4. In the result, this Criminal Original Petition stands dismissed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS-)

To:

1. The Principal Sessions Judge,
Virudhunagar

2. The Judicial Magistrate Court No.II,
Srivilliputur

+1 CC to M/s.G.M.LAW OFFICE,Advocate(SR-90687[F] dated 01/10/2019)

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