



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Crl.R.C (MD) .No.595 of 2011

WEB COPY

1.Tamilselvan
2.Chelliah

... Petitioners / complainants

Vs

Samson Jebadhas
Sub Inspector of Police,
Kanyakumari Police Station. ... Respondent / accused

PRAYER: Petition filed under Section 397 r/w 401 Code of Criminal Procedure, to call for the records relating to the order dated 08.04.2011 in C.C.No. 31 of 2011 on the file of the learned Chief Judicial Magistrate, Nagercoil and set aside the same.

For Petitioners : M. Gnanagurunathan
For Respondent : Mr.V. Thirumal

ORDER

The petitioners herein filed C.C.No. 31 of 2011, on the file of the learned Chief Judicial Magistrate, Nagercoil, against the respondent herein for the offences u/s. 166 and 217 IPC.

2. The grievance of the petitioners is that the respondent did not attend the complaint made by them. The learned trial Magistrate by the impugned order has observed that there must be a wilful disobedience of the statutory mandate, in order to constitute the offences under Sections 166 and 217 IPC. In this case, there is no averment or the material to show that the respondent disobeyed knowingly with an intention to cause injury to the complainant.

3. I am of the view that the learned trial Magistrate approached the legal issue very correctly. It does not warrant interference of this Court.

4. Accordingly, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar



To

The Chief Judicial Magistrate,
Nagercoil.

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+1CC TO Mr.M.GNANAGURUNATHAN, Advocate, Sr No.68557

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