



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.08.2021

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Criminal Revision Case No.490 of 2021

Vikrant R Jain

...Petitioner

..vs..

1. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.

2. The Sub Inspector of Police,
Central Crime Branch,
EDF-II, Team-IV,
Vepery, Chennai - 600 007.

3. B.G.Lousia

4. S.Britto Gandhi

...Respondents

Criminal Revision Case filed under Section 397 read with 401 Cr.P.C, to set aside the order dated 13.07.2021 passed in CrI.M.P.No.6212 of 2021 by the CCB and CBCID Metropolitan Magistrate, Egmore, Chennai -8 and direct the respondent police to register the complaint and conduct the inquiry.

For Petitioner : Mr.K.Sivabalan
for Mr.S.Karunamoorthy

For Respondents : Mr.S.Sugendran
Government Advocate (CrI.Side)
for R1 and R2

O R D E R

By consent of the learned counsel for the petitioner and the learned Government Advocate (CrI.Side) for the respondents 1 and 2 the matter is taken up today, for final disposal at the admission stage itself, without issuing notice to the respondents 3 and 4.

2. This Criminal Revision Case has been filed against order dated 13.07.2021 passed in CrI.M.P.No.6212 of 2021 by the



learned Metropolitan Magistrate, CCB and CBCID Court, Egmore, Chennai -8.

3.The learned counsel for the petitioner would submit that the third respondent is not the absolute owner of the property and based on the forged documents she entered into a sale agreement with the petitioner by way of registered sale deed dated 04.06.2015. Hence, the petitioner filed a complaint dated 08.01.2020 to the first respondent. The second respondent police enquired the petitioner and closed the complaint on 27.01.2020 stating that it is civil in nature. Hence, the petitioner filed a petition under Section 156(3) Cr.P.C before the learned Metropolitan Magistrate, CCB and CBCID Court, Egmore, Chennai - 8 seeking for a direction to the second respondent police to register the FIR as against the respondents 3 and 4. The learned Magistrate, after considering the materials available on records came to the conclusion that the petitioner has not established prima facie case against the accused persons and dismissed the petition. Challenging the said order, the petitioner is before this Court.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondents 1 and 2 and also perused the materials available on records.

5. On a careful perusal of the records, it reveals that the complaint preferred by the petitioner is purely civil in nature and the learned Magistrate rightly dismissed the petition filed under Section 156(3) Cr.P.C.

6.In view of the above, this Court does not find any perversity or infirmity in the order passed by the learned Magistrate. Accordingly, this Criminal Revision Case is dismissed. However, the petitioner is at liberty to work out his remedy, in the manner known to law.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ms



To

1. The Metropolitan Magistrate,
CCB and CBCID Court,
Egmore, Chennai -8.
2. The Commissioner of Police,
Greater Chennai,
Vepery, Chennai - 600 007.
3. The Sub Inspector of Police,
Central Crime Branch,
EDF-II, Team-IV,
Vepery, Chennai - 600 007.
4. The Public Prosecutor,
High Court, Madras.

Copy To

The Section Officer,
Criminal Section,
High Court,
Madras.

+lcc to Mr.S.Karunamoorthy, Advocate, S.R.No.41227

Cr1.R.C.No.490 of 2021

BP(CO)
RGA(06/10/2021)