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CRL.R.C.No.221 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

CRL.R.C.No.221 of 2018

1.V.Selvarani
2.S.Rubila Bhai
3.P.Girija

... Petitioners

Vs.

1.S.Jayaprakash
2.J.Indira Devi
3.K.Palani
4.A.Muthukumar
5.J.Kavitha
6.The Sub-Registrar,
Registration Department,
Government of Tamilnadu,
Vellore,
Vellore District.

7.The Superintendent of Police,
O/o Superintendent of Police,
Vellore,
Vellore District.

8.The Station House Officer,
Ariyur Police Station, Ariyur,
Malaikodi, Vellore.

... Respondents

Prayer: The Criminal Revision case filed under Section 397 r/w 401 of Cr.P.C. praying to set aside the order passed in C.C.No.Un-numbered/2017 dated 27.10.2017 on the file of the Judicial Magistrate I, Vellore, Vellore District.



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For Petitioners : Mr.D.J.Venkatesan

For Respondents

For R1 to 5 : Mr.G.Vinodhkumar

For R6 to 8 : Mr.A.Gopinath

Government Advocate (Crl. Side)

ORDER

This Criminal Revision is filed as against the order passed in C.C.No.Un-numbered/2017 dated 27.10.2017 on the file of the Judicial Magistrate I, Vellore, Vellore District, thereby dismissing the complaint filed under Section 156 Cr.P.C.

2. A perusal of the complaint revealed that the petitioners and the respondents 1 to 5 are brothers and sisters. The crux of the allegation is that the said respondents, without showing the petitioners as legal heirs of the deceased father, had executed settlement deed. Thereafter, on the strength of the settlement deed they entered into an agreement for sale. Therefore, they committed fraud and fabricated the documents.



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3. Even according to the petitioners, the respondents 1 to 5, suppressing the facts, as if they are only the legal heirs of their deceased father, had executed settlement deed. It is not the case of the petitioners that the respondents 1 to 5 have forged the legal heir ship certificate without adding them as legal heirs and executed settlement deed. Therefore, if at all they have any grievance over the execution of settlement deed or any subsequent deeds, the petitioners ought to approach the civil Court for appropriate relief. Therefore, no criminal offence is made as against the respondents 1 to 5 and the Court below rightly dismissed the complaint and this Court finds no infirmity or illegality in the order passed by the Court below.

4. Accordingly, the criminal revision case stands dismissed.

17.10.2022

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Index : Yes / No

Speaking / Non Speaking order



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Vellore,
Vellore District.
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- 4.The Judicial Magistrate I,
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G.K.ILANTHIRAIYAN, J.

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