



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C. No. 760 of 2022

Sureshkumar

..Petitioner/Complainant

Vs.

1. Kariyan

2. Devi

3. Kavipriya

..Respondents/ Accused 1 to 3

Prayer: Criminal Revision Case under Section 397 r/w 401Cr.P.C. To call for the records on the file of the learned Judicial Magistrate, Palacode, Dharmapuri District in Crl.M.P. No. 3996 of 2021 dated 01.04.2022 and set aside the order dated 01.04.2022.

For Petitioner

:: Mr.E.Kannadasan

O R D E R

The revision is filed aggrieved by the order of the learned Judicial Magistrate, Palacode dated 01.04.2022 in Crl.M.P. No. 3996 of 2021, in and by which the prayer of the petitioner to refer his complaint dated 31.05.2021 to the respondent/Police and direct them to register a case and investigate as per Section 156(3) Cr.P.C. has been rejected.

2. A perusal of the complaint actually fortifies the reasoning given by the learned Judicial Magistrate that the complaint is vague. The complaint reads as if an unregistered partition deed has been entered into by proposed accused persons and that they are claiming rival title. Per se, it would not fall under any of the three definitions of "false document" as defined under Section 464 IPC. However, before this Court, the petitioner would submit that actually, he apprehends that in the said unregistered partition deed, his signature or his brother's signature had been forged. If that is the case, there is no such clear cut averment in the said complaint. Even according to the learned counsel for the petitioner, the petitioner has not seen the unregistered partition deed.



3. Therefore, finding no merits, the Criminal Revision case is dismissed. However, if it comes to the notice of the petitioner that such an offence of forgery had been committed, liberty is given to the petitioner to make a specific complaint in that regard and the dismissal of this revision will not come in the way of the petitioner in lodging such a complaint.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

nv

To

The Judicial Magistrate,
Palacode.

+lcc to Mr.E.Kannadasan, Advocate SR. No. 37769

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RGN (CO)
PR (04/07/2022)