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Crl.R.C.No.816 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C.No.816 of 2022

D.Raja,
S/o.T.P.Dhamotharan

... Petitioner

Versus

1.Sampath
2.Rajendran
3.Ravi
4.Kala
5.Kala @ Kalavathi
6.Selvam

... Respondents

Criminal Revision Case filed under Section 397 read with 401 Cr.P.C, praying to set aside the order of dismissal dated 13.06.2022 in Crl.M.P.No.6043 of 2022 passed by the learned Judicial No.4, Vellore, consequently, direct the Sub-Inspector of Police, Virinchipuram Police Station to register the complaint in C.S.R.No.269 / 2022.

For Petitioner : Mr.G.Balamanikandan
For Respondents : No appearance

ORDER

This Revision is filed aggrieved by the order of the learned Magistrate in C.M.P.No.6043 of 2022, dated 13.06.2022, in and by which, the prayer of the petitioner to refer his complaint for investigation under Section 156(3) Cr.P.C.



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D.BHARATHA CHAKRAVARTHY, J.,

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2. A reading of the complaint, it is seen that the grievance is that the complainant purchased a plot by a registered sale deed. As per schedule of the registered plot, there is a layout road on one of the side. However, after purchase, when he visited the plot, there was no road. Considering the said allegation, the Trial Court has held that as per the sale deed, the field has to be surveyed and it has to be seen that whether any road is left or not and the matter appears to be Civil in nature and refused to refer the complaint for investigation. No exception can be taken for the finding taken by the Trial court.

3. Therefore, this Criminal Revision Case is dismissed as without any merits. However, the petitioner is at liberty to pursue the remedy as indicated by the Trial Court in accordance with law.

29.06.2022

Index : yes/no
Speaking/Non-speaking order
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To
The Magistrate No.4, Vellore.

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