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Crl.R.C.No.850 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2022

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Crl.R.C.No.850 of 2022

A.Santhosam,
S/o.Late Annamalai Gounder

... Petitioner

Versus

1.The Superintendent of Police,
Thiruvannamalai.

2.State rep. by
The Sub-Inspector of Police,
Anti-Land Grabbing Special Cell,
District Crime Branch,
District Police Office,
Tiruvannamalai – 606 604.

... Respondents

Criminal Revision Case filed under Section 397 and 401 Cr.P.C, to call for the records and set aside the order passed in Cr.M.P.No.1407 of 2022, dated 31.05.2022 on the file of the learned Judicial Magistrate No.1, Thiruvannamalai and subsequently to register an FIR based on the petitioner complaint.

For Petitioner : Mr.K.Gangadaran

For Respondents : Mr.S.Vinoth Kumar,
Government Advocate (Crl.Side)

ORDER

This Revision is filed challenging the order of the learned Judicial Magistrate No.I, Tiruvannamalai dated 31.05.2022 in Cr.M.P.No.1407 of 2022,



Crl.R.C.No.850 of 2022

in any by which, the learned Judge refused to refer the complaint of the petitioner for investigation to the police under Section 156(3) of Cr.P.C.

2.A perusal of the gist of the allegations of the complaint is that the petitioner was the owner of an extent of 94 cents and along with the same, from his grand father time, another 12 cents have been enjoyed by the petitioner. Subsequently, petitioner after settling the entire property in favour of his wife, they sold the 94 cents to third party and retained the balance 12 cents with them. However, the respondents/accused are claiming wrongful title to the 12 cents and are entering into a document between them.

3.A perusal of the complaint does not disclose any offence whatsoever. Therefore, the learned Judicial Magistrate has rightly refused to refer the complaint for investigation. Therefore, the Criminal Revision Case is dismissed as without any merits and it will be open for the petitioner to seek appropriate remedy before the Civil Court as he may be advised to do so.

06.07.2022

Index : yes/no
Speaking/Non-speaking order
sp



Crl.R.C.No.850 of 2022

To
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1.The Judicial Magistrate No.1,
Thiruvannamalai.

2.The Superintendent of Police,
Thiruvannamalai.

3.The Sub-Inspector of Police,
Anti-Land Grabbing Special Cell,
District Crime Branch,
District Police Office,
Tiruvannamalai – 606 604.



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Crl.R.C.No.850 of 2022

D.BHARATHA CHAKRAVARTHY, J.,

sp

Crl.R.C.No.850 of 2022

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