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Crl.R.C.No.1234 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.08.2022

CORAM :

**THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY**

Crl.R.C.No.1234 of 2022

K.Jayaraman

... Petitioner

**Versus**

1. L.Mythily

2. S.Radha

... Respondents

**Prayer:** Criminal Revision filed under Section 397 r/w 401 of Criminal Procedure Code, to revise the order in C.M.P.No.4551 of 2022, dated 06.07.2022 passed by the learned Judicial Magistrate No.I, Tambaram.

For Petitioner : Mr.G.J.Baskar Narayan

**ORDER**

This Revision Case is filed aggrieved by the order of the learned Judicial Magistrate No.I, Tambaram, dated 06.07.2022 in Crl.M.P.No.4551 of 2022, in and by which, the complaint filed by the petitioner under Section 200 of the Code of Criminal Procedure was rejected by the leaned Magistrate as civil in nature.

2. On a perusal of the complaint and the documents filed by the



Crl.R.C.No.1234 of 2022

petitioner, it can be seen that the gist of the allegations is that the proposed first accused, who is the wife of the deceased son of the petitioner, is filing proceedings in Singapore Court as if she alone is the legal heir and the petitioner's son is a Singapore citizen and she alone will be entitled for all his properties. The Trial Court, after considering the said facts and circumstances, had come to the conclusion that the matter is civil in nature and however, it is the contention of the petitioner that the petitioner's son was only an Indian citizen and that the mother is also Class-I legal heir and is entitled to share in all his properties, accordingly, she has to approach the civil forum and this complaint does not disclose any cognizable offence which is committed by the proposed accused.

3. I am of the view that the said view of the Trial Court is right and does not call for any interference of this Court. In view thereof, finding no merits, this Revision Case is dismissed, but, however, with liberty to approach the civil forum or the forum at Singapore in the manner known to law for redressal of her grievances claiming share of the immovable/movable property of her son.

30.08.2022

Index : yes/no

Speaking order/Non-speaking order

grs



Crl.R.C.No.1234 of 2022

WEB COPY

The Judicial Magistrate No.I,  
Tambaram.



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Crl.R.C.No.1234 of 2022

**D.BHARATHA CHAKRAVARTHY. J.,**

grs

Crl.R.C.No.1234 of 2022

30.08.2022