



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **16.02.2022**

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**
CrI.R.C. (MD)No.70 of 2022

M.Katharkodi

... Petitioner/Petitioner

Vs.

1.The State represented by
The Inspector of Police,
District Crime Branch,
Thoothukudi District.

2.K.S.Pindhu
3.P.Balamurugan
4.C.Chernapandi
5.T.Anandan
6.A.Vel
7.A.Mayasamy
8.Premalatha

...Respondents/Respondents

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records of the order dated 14.09.2021 passed by the learned Judicial Magistrate No.4, Thoothukudi, in Cr.M.P.No.3854 of 2021 and set aside the same.

For Petitioner : Mr.N.Pragalathan
For Respondents : Mr.K.Sanjai Gandhi
Government Advocate (CrI.Side) for R.1

O R D E R

This petition has been filed for challenging the order dated 14.09.2021 passed by the learned Judicial Magistrate No.4, Thoothukudi in Cr.M.P.No.3854 of 2021 and thereby dismissing the complaint filed by the petitioner and forwarding the same under Section 156(3) Cr.P.C.

2. On perusal of the complaint revealed that the petitioner purchased a subject property in the year 2001 by the registered sale deed vide Document No. 2172 of 2001 dated 03.08.2001. However, one K.S.Pindhu purchased the said land on 16.09.2016 from one Thangasamy. According to the petitioner, the Thangasamy died as early as on 20.09.1992 though the date present sale deed was



executed. There are two claims in respect of such property. The learned jurisdictional Magistrate rightly dismiss the complaint as all the allegations are civil in nature. Therefore, this Court find no merits in this case, this Criminal Revision Case is dismissed.

3. However, the petitioner is at liberty to approach the civil Court in the manner known to law, if so advised.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

mga

To:-

- 1.The Judicial Magistrate No.IV,
Thoothukudi.
- 2.The Inspector of Police,
District Crime Branch,
Thoothukudi District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

COPY TO:-

The Section Officer,
V.R.Section,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-6978[F] dated 18/02/2022)
Crl.R.C. (MD)No.70 of 2022
16.02.2022

RJ(CO)
GC(10.03.2022) 2P 7C