



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Cr1.R.C. (MD)No.166 of 2021

U.Jeya Raj

... Petitioner

Vs.

1.The Inspector of Police,
Radhapuram Police Station (Incharge),
Koodankulam Police station,
Koodankulam, Tirunelveli District.

2. Vinukumar
The Sub-Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

3. Mariappan
Driver,
Radhapuram Police Station,
Tirunelveli District.

4. Rajan
The Sub-Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

5. Kartheesan,
Head Constable,
Radhapuram Police Station,
Tirunelveli District.

6. Ashokan,
Head Constable,
Radhapuram Police Station,
Tirunelveli District.

7.Esakkiappan,
Writer,
Radhapuram Police Station,
Tirunelveli District.

...Respondents

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to set-aside the order passed in Cr.M.P.No.368/2020 on the file of the District Munsif cum Judicial Magistrate Court, Radhapuram dated 22.01.2021 by allowing this Criminal revision petition and direct the Radhapuram police to register the case.



For Petitioners : S.Balaji
For Respondent : Mrs.M.Aasha
No.1 Government Advocate

For Respondent : No Appearance
No.2 & 4 to 7

WEB COPY

O R D E R

This Criminal Revision has been filed to set-aside the order passed in Cr.M.P.No.368/2020 on the file of the District Munsif cum Judicial Magistrate Court, Radhapuram dated 22.01.2021 by allowing this Criminal revision petition and direct the Radhapuram police to register the case.

2. Perusal of the complaint alleged by the petitioner reveals that on 24.04.2020 when the petitioner and his family members are in their house, the respondents 2 to 7 had entered into their house, scolded him in filthy language and beaten the petitioner and his relatives. Therefore a case has been registered in Crime No. 87 of 2020 for the offence under Section 12 of Gaming Act.

3. The learned Government Advocate(Crl.Side) would submit that the petitioner is the accused and on 24.04.2020 he inspected the premises where they gathered and played cards with cash, immediately recovered cash and card from the petitioner and registered a case in Crime No.87 of 2020 for the offence under Section 12 of Gaming Act. She would further submit that after completing investigation they also filed final report before the learned Judicial Magistrate, Radhapuram and the same has been taken cognizance in STC No. 221 of 2021 and it is pending trial.

4. Therefore the petitioner has filed a petition under Section 156(3) of Cr.P.C only to escape from the clutches and nothing else, hence the Court below has rightly dismissed the petition filed by the petitioner and this Court finds no illegality or infirmity in the order passed by the Court below.

5. In the result, the Criminal Revision stands dismissed.

Sd/-

Assistant Registrar (CS-II)

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/ /2022

Sub Assistant Registrar(CS)

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To:

1.The District Munsif cum Judicial Magistrate,
Radhapuram.

2.The Inspector of Police,
Radhapuram Police Station (Incharge),
Koodankulam Police station,
Koodankulam,
Tirunelveli District.

3. The Sub-Inspector of Police,
Radhapuram Police Station,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Section officer, Criminal Section,
Madurai Bench Of Madras High Court, Madurai. (2 COPIES)

Crl.R.C.(MD)No.166 of 2021
20.04.2022

RD(04.05.2022) 3P 7C