



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **22.04.2022**

CORAM:

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

Crl.R.C. (MD)No.208 of 2021

and

Crl.M.P. (MD)No.2270 of 2021

WEB COPY

Muthumari

... Petitioner

Vs.

1.Uma

2.Ananthi

3.Seeni Mugaideen

4.State by

The Inspector of Police,

Malli Police Station,

Virudhunagar District.

Crime No.60 of 2019.

... Respondents

Prayer : This Criminal Revision has been filed under Section 397 and 401 of Criminal Procedure Code, to call for the records and set aside the order passed in Cr.M.P.No.1228 of 2020 dated 29.12.2020 pending on the file of the learned Judicial Magistrate No.II, Srivilliputhur and allow this Criminal Revision Petition.

For Petitioner	: Mr.Sankar Ganesh N.
For R1 to R3	: Mr.S.Sabari Bala Pandian
for R4	: Mr.M.Aasha
	Government Advocate (Crl.side)

ORDER

This Criminal Revision Petition has been filed to call for the records and set aside the order passed in Cr.M.P.No.1228 of 2020 dated 29.12.2020 pending on the file of the learned Judicial Magistrate No.II, Srivilliputhur, thereby dismissing the petition filed to protest against the deletion of 6 accused persons.

2.Originally, on the complaint lodged by the petitioner, the fourth respondent has registered a First Information Report in Crime No.60 of 2019 for the offences under Section 420, 466, 467, 468, 120 (b) and 109 of IPC as against 9 accused persons. The crux of the complaint is that the accused persons have cheated the petitioner and prescribed that the accused persons have shared all the properties by forging a gift deed, after the death of the petitioner's mother. Further alleged that during pendency of the partition suit in O.S.No.27 of 2014 on the file of the learned District Judge, Srivilliputhur and considering the fact that the accused persons who are sisters of the petitioners, sold the



property to the private parties. The purchasers have also fully aware of the facts, purchased the property and the Sub Registrar registered the property, even after objection received from the petitioner.

3.However, the fourth respondent completed investigation and deleted six accused persons and filed final report only against three accused persons for the offence under Sections 420, 466, 467, 468, 120(b) and 109 of IPC. If at all any materials available as against other accused persons to constitute the offences, the petitioner can very well invoke the provisions under Section 319 of Cr.P.C., before the trial Court after examining the witnesses. Therefore, this Court finds no infirmity or illegality in the order passed by the Court below.

4.Accordingly, this Criminal Revision Petition stands dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

pnn

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:-

1. The Judicial Magistrate No.II, Srivilliputhur.

2.The Inspector of Police,
Malli Police Station, Virudhunagar District.

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

+1 CC to M/s.N.SANKAR GANESH, Advocate (SR-20837[F] dated
25/04/2022)

**Crl.R.C.(MD)No.208 of 2021 and
Crl.M.P.(MD)No.2270 of 2021
22.04.2022**