



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2022

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C. (MD)No.266 of 2021

WEB COPY
Vaiyapuri

... Petitioner

Vs.

- 1.Ramaiah
- 2.Karuppaiah
- 3.Saravanan
- 4.Lakshmanan
- 5.Kunjaiah
- 6.Muthuvel
- 7.Palanichamy
- 8.Siva

- 9.The Inspector of Police,
Reddiyarchatram Police Station,
Dindigul District.

... Respondents

Prayer: This Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C. to set aside the order passed in Crl.M.P.No.1699 of 2020, dated 29.01.2021 and allow the criminal revision petition.

For Petitioner	: Mr.S.Balaji
For R1 to R6	: Mr.S.C.Heroldsingh
For R7	: Mr.H.Lakshmi Shankar
For R9	: Mrs.M.Aasha
	Government Advocate (Crl.Side)

ORDER

The Criminal Revision Case has been filed seeking to set aside the order passed in Crl.M.P.No.1699 of 2020, dated 29.01.2021, thereby, dismissed the complaint filed by the petitioner herein.

2.On perusal of the complaint revealed that the petitioner owned a property and the proposed accused was forcibly entered into the petitioner's property and threatened him with dire consequences. They were also cut the trees standing in the disputed land, thereby they caused damages to the tune of Rs.50,000/- worth trees. Immediately, the petitioner lodged a complaint before the ninth respondent and the same was not considered and as such, he was constrained to submit a representation before the Superior Officer. Even then, no action was taken and as such, the petitioner had filed a complaint seeking direction under Section 200 of Cr.P.C. However, the concerned learned Judicial Magistrate dismissed the petition for the reason that the petitioner failed to make out a case to take



cognizance for the offences under Sections 120(b), 294(b), 427 and 506(2) of IPC.

3.Further, I am informed that already the petitioner had filed a partition suit and the same was also dismissed. Aggrieved by the same, the petitioner had filed a First Appeal and the same was also dismissed. Then, challenging the same, the petitioner had filed an Appeal in S.A.No.191/2012 and it is pending. That apart, in respect of the subject property, there are three groups claiming the subject property and as such, there was absolutely no occurrence took place as alleged by the complainant.

4.Therefore, the Court below rightly dismissed the complaint and this Court finds no infirmity or illegality in the order passed by the Court below. Accordingly, the criminal revision case stands dismissed.

Sd/-

Assistant Registrar (T & P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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 Inspector of Police,
Reddiyarchatram Police Station,
Dindigul District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.H.LAKSHMI SHANKAR, Advocate (SR-22023[F] dated 28/04/2022)

+1 CC to M/s.S.C.HEROLD SINGH, Advocate (SR-22897[F] dated 29/04/2022)

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RS (30.05.2022) 2P-5C

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