



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.334 of 2021

WEB COPY

T.Thiyagarajan

... Petitioner

Vs.

1.K.Bharathi

2.K.Rukmani @ Vanthana

3.K.Varatharajan

... Respondents

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records pertaining to the impugned order, dated 21.12.2020, passed in Crl.M.P.No.1802 of 2020, Online Crl.M.P.No.1585 of 2020 on the file of the learned Judicial Magistrate No.V, Tiruchirappalli and to set aside the same and to direct the learned Judicial Magistrate to take the complaint on file and issue summons to the accused persons.

For Petitioner : Mr.M.R.Sreenivasan

For Respondents : Mr.B.Jammelarasu

ORDER

The Criminal revision petition has been filed seeking to set aside the order passed in Crl.M.P.No.1802 of 2020 in Crl.M.P.No.1585 of 2020 on the file of the learned Judicial Magistrate No.V, Tiruchirappalli and consequently, direct the the learned Judicial Magistrate to take the complaint on file and issue summons to the accused persons.

2.On perusal of the complaint lodged by the petitioner revealed that the first respondent is the Head Master of the Oxford Nursery and Primary School and the respondents 2 and 3 are the daughter and son of the first respondent. They assured that they will get job for the petitioner's daughter and received a sum of Rs.18,00,000/- in the year 2015, by cash from the petitioner. Thereafter, they failed to obtain any job and also refused to repay the amount.

3.Though the amount was paid to the respondents in the year 2015, the complaint was lodged only in the year 2020. The delay of five years is not explained by the petitioner. Further, the petitioner did not obtain any document while giving a huge sum of Rs.18,00,000/- to the respondents. There is absolutely no document to show that the petitioner paid the said amount to the respondents to get job for his daughter.



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 petition stands dismissed.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

lr

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

The Judicial Magistrate No.V, Tiruchirappalli.

Copy to

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.M.R. SREENIVASAN, Advocate (SR-22389[F] dated 29/04/2022)

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RK(17/05/2022) 2P 5C