



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

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

Crl.O.P.(MD) No.7980 of 2022

Kaniraj

...Petitioner

Vs.

1. The Superintendent of Police,
Thirunelveli District.

2. The State by Inspector of Police,
Land Grabbing,
Tirunelveli District.

...Respondents

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the call for records relating to the impugned Order of the Learned IVth Additional District Judge, Tirunelveli made in Crl.R.C.No. 14/2021 on 08.02.2022 and conforming the order of the Learned Judicial Magistrate, Special Court for Land Grabbing Cases, Tirunelveli in Crl.M.P.No.4590/2021 dated 04.08.2021 and set aside the same and consequently the 2nd respondent to register the FIR on the complaint given the petitioner dated : 16.09.2020 as per the order of the Learned Judicial Magistrate, Special Court for Land Grabbing Cases, Tirunelveli in Crl.M.P.No.53/2020 dated : 02.11.2020.

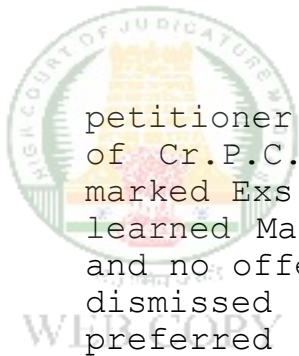
For Petitioner : Mr. V. Muthuvelan

For Respondents : Mr. R.M.Anbunithi,
Additional Public Prosecutor

ORDER

This petition has been filed seeking direction to call for records relating to the impugned Order of the learned IVth Additional District Judge, Tirunelveli made in Crl.R.C.No. 14/2021 on 08.02.2022 and conforming the order of the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Tirunelveli in Crl.M.P.No.4590/2021 dated 04.08.2021 and set aside the same and consequently the direct the second respondent to register the FIR on the complaint given the petitioner dated 16.09.2020 as per the order of the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Tirunelveli in Crl.M.P.No.53/2020 dated : 02.11.2020.

2. Originally the petitioner has lodged complaint before the second respondent and the same was not considered and as such the



petitioner was constrained to file a petition under Section 156(3) of Cr.P.C. The learned Magistrate has examined PW.1 to PW.4 and marked Exs.P.1 to P.8. After considering the materials available the learned Magistrate found that all the disputes are civil in nature and no offence is made out as against the accused persons, therefore dismissed the complaint. Aggrieved by the same, the petitioner has preferred revision and the same was also dismissed. The present petition relates to second revision and it cannot be entertained.

3. That apart on perusal of the complaint there is a property dispute between the petitioner and his maternal uncle in respect of subject property, therefore both the Courts below rightly concluded that the entire issues are civil in nature and no offence of cheating, forgery and conspiracy is made out in the complaint, hence this Court finds no illegality or infirmity in the order passed by the court below.

4. In view of the same, the petition stands dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Superintendent of Police,
Tirunelveli District.
2. The Inspector of Police,
Land Grabbing,
Tirunelveli District.
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai.

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RD(16.05.2022) 2P 4C