



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2022

CORAM:

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

Crl.R.C. (MD)No.525 of 2020

P.Ramesh
S/o Pon Mani

... Petitioner/Petitioner

Vs.

1.The Inspector of Police,
Thiruvattar Police Station,
Kanniyakumari District.

2.P.Ramesh
S/o.Paulraj

... Respondent/Complainant

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C. to call for the records relating to the order passed by the Judicial Magistrate No.II, Padmanabhapuram in Crl.M.P.1294 of 2020 and set aside the same and direct the 1st respondent police to register the case.

For Petitioner : Mr.A.Balakrishnan

For R1 : M/s.M.Aasha
Government Advocate
(Criminal Side)

ORDER

The criminal revision case has been filed seeking to set aside the order passed by the learned Judicial Magistrate No.II, Padmanabhapuram in Crl.M.P.1294 of 2020.

2.The petitioner had lodged a complaint before the first respondent and the same had not been registered. Therefore, the petitioner was constrained to file a petition for direction, seeking a direction under Section 156(3) of Cr.P.C.

3.On perusal of the complaint lodged by the petitioner revealed that the petitioner is the agriculturist doing Pine apple cultivation. He used to supply Pine apples to various rotary vendors. While being so, on 25.02.2020, on the request made by the respondent, the petitioner had supplied 980 Kilograms worth of Rs.19,600/- to the respondent. But, on the date of receipt of fruits, the respondent had only paid a sum of Rs.1,500/- and assured that he will pay the balance amount. While being so, on 21.05.2020, the petitioner had requested the respondent to pay the balance amount, but he was threatened with dire consequences.



4.In view of the above, it is nothing but the petitioner had tried to give criminal color. Therefore, no offence is made out as alleged in the complaint. Accordingly, the Court below rightly dismissed the petition seeking direction under Section 156(3) of Cr.P.C. This Court finds no infirmity or illegality in the order passed by the learned Judicial Magistrate No.II, Padmanabhapuram in Crl.M.P.1294 of 2020. Therefore, the criminal revision case is dismissed.

Sd/-

Assistant Registrar (CS I)

// 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

- 1.The Judicial Magistrate No.II,
Padmanabhapuram.
- 2.The Inspector of Police,
Thiruvattar Police Station,
Kanniyakumari District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to:

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

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MGJ(22.04.2022) 2P 6C