



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
Crl.R.C(MD)No.527 of 2021

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Meena ...Petitioner/Complainant

Vs.

1.State rep. by
The Inspector of Police,
Madathur, Thoothukudi,
Tamilnadu - 628 002.

2.Chidambara Sundaram ...Respondents/Respondents

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to set aside the dismissal order dated 26.07.2021 in Crl.M.P.No.3574 of 2021 on the file of Judicial Magistrate No.III, Thoothukudi and direct the respondent No.1 to register the FIR complaint dated 22.02.2021.

For Petitioner	: Mr.L.Infant Dinesh
For R1	: Ms.M.Aasha Government Advocate (Crl.side)
For R2	: Mr.V.Rajiv Rufus

ORDER

This petition has been filed to set aside the dismissal order dated 26.07.2021 in Crl.M.P.No.3574 of 2021 on the file of Judicial Magistrate No.III, Thoothukudi.

2.A perusal of complaint lodged by the petitioner revealed that the petitioner owned property admeasuring 9 acres 17 cents in S.No.4/67C situated at Harbour Bye Pass Road, Thoothukudi. Thereafter, she entered into sale agreement with the second respondent. The petitioner received a notice on 30.06.2020 as if she is not ready and the second respondent is ready to pay the sale consideration. Since all the allegations made by the petitioner herein are civil in nature, the petitioner ought to have approached the Civil Court for appropriate relief against the second respondent. Though the Court below, dismissed the petition for the reasons that no complaint lodged before the first respondent police, the entire allegations cited supra are civil in nature. Therefore, this Court finds no infirmity or illegality in the order passed by the Court below.



3.In view of the above, Criminal Revision Petition is dismissed. However, the petitioner is at liberty to file a private complaint before the appropriate Court, in the manner known to law.

Sd/-

Assistant Registrar (AS)

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// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vsd

To :

- 1.The Judicial Magistrate No.III,
Thoothukudi.
- 2.The Inspector of Police,
Madathur, Thoothukudi,
Tamilnadu - 628 002.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Cr1.R.C(MD)No.527 of 2022
13.04.2022

_RD(12.05.2022) 2P 4C