



Crl.R.C.(MD) No.828 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.08.2022

CORAM:

THE HONOURABLE MR.JUSTICE **K.MURALI SHANKAR**

Crl.R.C.(MD)No.828 of 2022

M.Raveendran

... Petitioner/Petitioner

Vs.

1.M/s.Dharti Dredging and Infrastructure Ltd.,
at present:- Interim Resolution Professional for DDIL,
Represented by Mr.Gonugunta Madhusudhan Rao,
7-1-285, Flat No.103,
Sri Sai Swapnasampada Apartments,
Balkampet, Sanjeev Reddy Nagar,
Hyderabad, Telangana-500 023.

2.A.Rajendra

3.Rajeshkumar Radheyshyam JhunJhunwala

4.Alur Vijayalakshmi

5.Raj Kumar Agarwal

6.S.K.Bowmic

7.V.V.Reddy

8.G.Y.V.Victor

Deputy Chief Executive Officer,
Managing Director and Chief Executive Officer,
(at present), Dredging Corporation of India,
Dredge House, Visakhapatnam-530 035.

9.The Superintendent of Police,



Crl.R.C.(MD) No.828 of 2022

WEB COPY

Office of the Thoothukudi District Police,
Thoothukudi District,
Thoothukudi-628 101.

10.The Inspector of Police,
Central Police Station,
Great Cotton Road,
Thoothukudi-628 001.

... Respondents/Respondents

Prayer : This Criminal Revision has been filed under Section 397 and 401 of Criminal Procedure Code, to call for the records relating to the impugned order passed by the learned Judicial Magistrate No.II, Thoothukudi dated 09.03.2022 in Cr.M.P.No.364 of 2022 and set aside the same and allow the said petition.

For Petitioner : Mr.S.Balaji
For R9 & R10 : Mr.S.Manikandan
Government Advocate (Crl. side)

ORDER

This Criminal Revision is directed against the order passed in Cr.M.P.No. 364 of 2022, dated 09.03.2022 on the file of the learned Judicial Magistrate No.II, Thoothukudi, dismissing the petition filed under Section 156(3) of Cr.P.C.

2.The learned Magistrate, on perusing the complaint and on hearing the arguments of the petitioner's side, has passed the impugned order, dismissing the



Crl.R.C.(MD) No.828 of 2022

petition, by holding that the complaint itself does not disclose any cognizable offences and that the petitioner has been attempting to take criminal action for the alleged breach of contract.

3.On considering the complaint and other materials, the impugned order dismissing the petition filed under Section 156(3) of Cr.P.C. cannot be found fault with.

4.At this juncture, the learned counsel for the petitioner would submit that the petitioner may be granted liberty to file a private complaint.

5.In the result, this Criminal Revision Petition is dismissed. The petitioner is at liberty to file a private complaint under Section 200 of Cr.P.C. and on filing of such complaint, the learned Judicial Magistrate No.II, Thoothukudi, is directed to proceed in accordance with law.

29.08.2022

Index : Yes/No
Internet : Yes/No
sjj



WEB COPY



Crl.R.C.(MD) No.828 of 2022

K.MURALI SHANKAR, J.

sjj

To:-

- 1.The Judicial Magistrate No.II, Thoothukudi.
- 2.The Superintendent of Police,
Office of the Thoothukudi District Police,
Thoothukudi District,
Thoothukudi-628 101.
- 3.The Inspector of Police,
Central Police Station,
Great Cotton Road,
Thoothukudi-628 001.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER MADE IN
Crl.R.C.(MD)No.828 of 2022

29.08.2022