



Crl.R.C.(MD) No.713 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **03.08.2022**

CORAM:

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

Crl.R.C.(MD)No.713 of 2022

Sekar

... Petitioner/Petitioner

Vs.

1.Vishwamoorthy

2.State represented by
The Sub-Inspector of Police,
Aranthangi Police Station,
Pudukottai District.

... Respondents/Respondents

Prayer : This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records and set aside the order dated 14.06.2022 passed by the Judicial Magistrate, Aranthangi, in Crl.M.P.No.2532 of 2022.

For Petitioner : Mr.T.Lenin Kumar,

For Respondents : Mr.S.Manikandan,
Government Advocate (Crl. side) for R2



Crl.R.C.(MD) No.713 of 2022

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ORDER

This Criminal Revision Petition is directed against the order passed in Cr.M.P.No.2532 of 2022 dated 14.06.2022 on the file of the learned Judicial Magistrate, Aranthangi, dismissing the petition filed under Section 156(3) of Cr.P.C.

2. The learned Magistrate, after considering the complaint, by observing that the petitioner has not complied with the procedures contemplated under Section 156(3) of Cr.P.C. and that since the case canvassed by the petitioner is of civil in nature, he has to approach the civil Court, dismissed the petition.

3. The learned counsel for the petitioner would submit that the petitioner has complied with the requirements contemplated under Section 156(3) of Cr.P.C.

4. Considering the averments raised in the complaint and other materials, it is clearly evident that there existed some property dispute between the petitioner and the first respondent and that the enquiry is now pending before the Revenue



Crl.R.C.(MD) No.713 of 2022

Divisional Officer, Aranthangi. Hence, the impugned order dismissing the petition filed under Section 156(3) of Cr.P.C. cannot be found fault with.

5. Accordingly, 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, Aranthangi, is directed to proceed in accordance with law.

03.08.2022

Index : Yes/No
Internet : Yes/No
csm

To:-

1. The Judicial Magistrate,
Aranthangi.
2. The Sub-Inspector of Police,
Aranthangi Police Station,
Pudukottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.R.C.(MD) No.713 of 2022

K.MURALI SHANKAR, J.

csn

**ORDER MADE IN
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