



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2022

CORAM:

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

Crl.R.C(MD)No.860 of 2021

WEB COPY

Saraswathiammal

... Petitioner/Petitioner

Vs.

1. Sathishkumar

2. Chermadurai

3. The Inspector of Police,
Pettai Police Station,
Tirunelveli.

... Respondents/Respondents

Prayer: This Criminal Revision Petition filed under Section 397, r/w.401 of Cr.P.C. to call for the entire records pertaining to the order passed by the learned Judicial Magistrate No.V, Tirunelveli District in Crl.M.P No.2610 of 2021 vide order dated 12.10.2021 and set aside the same.

For Petitioner	: Mr.R.L.Dhilipan Pandian
For Respondents	: Mr.K.Sanjai Gandhi
R3	Government Advocate (Criminal Side)
R1 & R2	: Mr.S.Sathiya Chidhambaram

O R D E R

This Criminal Revision Petition has been filed as against the order passed by the learned Judicial Magistrate No.V, Tirunelveli District in Crl.M.P No.2610 of 2021 vide order dated 12.10.2021, thereby, dismissing the petition filed under section 200 Cr.P.C.

2.A perusal of complaint, it is revealed that the petitioner's husband was originally allotted in respect of the subject property. While he was alive, the said property was rented out to the respondents 1 & 2 herein. After demise of her husband, the respondents 1 & 2 refuse to hand over the property, claiming right over the property. They filed bar injunction suit against the petitioner's daughter-in-law and son and the same was dismissed for non-joinder of necessary parties. It was also confirmed by the learned District Court in A.S.No.110 of 2013 . Therefore, mere possession of the subject property by the respondents 1 & 2, does not amount to any offence. However, when the petitioner asked for



possession of the said property, she was threatened by the first and second respondents, with dire consequences, scolded with filthy language.

3.Already on the complaint filed by the petitioner, case has been registered in Crime No.46 of 2021, for the offences punishable under Sections 294(b), and 506(i) IPC and it is pending for investigation, on the file of third respondent.

4.In view of the above, there is no infirmity or illegality in the order passed by the Court below. The third respondent is directed to complete the investigation in Crime No.46 of 2021 and file a final report, within eight weeks, from the date of receipt of a copy of this order.

5.With the above directions, this Criminal Revision Petition stands dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

PNM

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.V,
Tirunelveli District.
- 2.The Inspector of Police,
Pettai Police Station, Tirunelveli.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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