



***Crl.R.C(MD) No.923 of 2022***

**WEB COPY** BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

**DATED : 22.09.2022**

**CORAM:**

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**Crl.R.C(MD)No.923 of 2022**

K.M.Akbar Ali  
S/o.Mohammed Ibrahim

... Petitioner

**Vs.**

- 1.Algar  
The Inspector of Police,  
Ilayankudi Police Station,  
Ilayankudi.
- 2.Manikandeswaran,  
Sub-Inspector of Police,  
Ilayankudi Police Station,  
Ilayankudi.
- 3.Mahalingam,  
Sub-Inspector of Police,  
Ilayankudi Police Station,  
Ilayankudi.
- 4.Muniyasamy,  
Sub-Inspector of Police,  
Ilayankudi Police Station,  
Ilayankudi.



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5. Chezhian,  
Sub-Inspector of Police,  
Illayankudi Police Station,  
Illayankudi.
6. Marimuthu,  
Head Constable,  
Illayankudi Police Station,  
Illayankudi.
7. Sundar,  
Constable,  
Illayankudi Police Station,  
Illayankudi.
8. Marudhupandian,  
Constable,  
Illayankudi Police Station,  
Illayankudi.
9. Ramesh,  
Constable,  
Illayankudi Police Station,  
Illayankudi.
10. Rajeshkannan,  
Contable,  
Illayankudi Police Station,  
Illayankudi.
11. Premabavula,  
Constable,  
Illayankudi Police Station,  
Illayankudi.



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12.Rameshkumar,  
Jeep Driver,  
Illayankudi Police Station,  
Illayankudi.

... Respondents

**Prayer :** This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records in CRMP.No.526 of 2022 on the file of the District Munsiff Cum Judicial Magistrate, Ilayankudi, dated 27.06.2022 and set aside the same, by allowing this revision.

For Petitioner : Mr.R.Sundar

### **ORDER**

This Criminal Revision Petition is filed against the dismissal order passed in Cr.M.P.No.526 of 2022 dated 27.06.2022 by the learned District Munsif Cum Judicial Magistrate, Ilayankudi.

2. On 22.07.2021, one A.Muhammed Arasanar Amballam, bought a house and land from one S.Regina Banu, for a sum of Rs.41,00,000/- (Rupees Forty One Lakhs only) and he has also paid initial amount. By suppressing the entire facts, the said S.Reginna Banu filed a complaint before the Illayankudi Police Station



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stating that the said A.Muhammed Arasar Amballam cheated her and the petitioner is the attestor in the document. Thereafter, the Illayankudi police has registered the case without knowing the real facts. On 19.08.2021, the respondents arrested the said A.Mugammed Arasar Amballam and 10 others including with the petitioner herein. While the petitioner was under judicial custody, the respondents went to the petitioner's house and also threatened his family members and also damaged his the household articles.

3. On 20.09.2021, the petitioner made a complaint before various higher officials and the same was not considered and no steps have been taken so far. Hence, he filed a petition under Section 156(3) Cr.P.C and the same was dismissed without any valid ground. Therefore, he filed the present petition.

4. Perusal of order shows that the trial Judge doubted the genuineness of the compliant, on the ground that on earlier occasion also, the complainant has given a complaint against the accused persons and now, the present complaint has been given by improving the version. Apart from that, he has stated that the sanction is required for prosecuting the Inspector of Police, who is the respondent



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herein and another police officials who are also respondents in the above said complaint.

5. Without going to the merits of the case, this Court grant liberty to the petitioner to file a private compliant under Section 200 Cr.P.C against the respondents herein.

In view of the above said liberty, this Criminal Revision Case is disposed of.

**22.09.2022**

Index : Yes/No  
Internet : Yes/No  
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To:-

- 1.The learned District Munsiff Cum Judicial Magistrate,  
Ilayankudi.
- 2.Algar  
The Inspector of Police,  
Ilayankudi Police Station,  
Ilayankudi.



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Illayankudi Police Station,  
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- 4.Mahalingam,  
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- 5.Muniyasamy,  
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- 9.Marudhupandian,  
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- 10.Ramesh,  
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Illayankudi Police Station,  
Illayankudi.

13.Rameshkumar,  
Jeep Driver,  
Illayankudi Police Station,  
Illayankudi.

14.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

15.The Superintendent,  
Central Prison,  
Trichy.



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**G.ILANGO VAN,J**

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**ORDER MADE IN  
Crl.R.C.(MD)No.923 of 2022**

**22.09.2022**