



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.03.2022

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**  
**Cr1.R.C. (MD)No.944 of 2021**

Sathik Jeyapaul ... Petitioner/ Complainant

Vs.

1. The Inspector of Police,  
Puthukadai Police Station,  
Kanyakumari District. ... Respondent/ Complainant

2. Michealsan

3. Sibin

4. Sildan ... Respondents/ Accused

**Prayer :** This Criminal Revision has been filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the records pertaining to order passed in Cr1.M.P.No.4769 of 2021 dated 13.11.2021 on the file of Judicial Magistrate No.II, Kuzhithurai and to set aside the same.

For Petitioner : Mr.S.C.Herold Singh

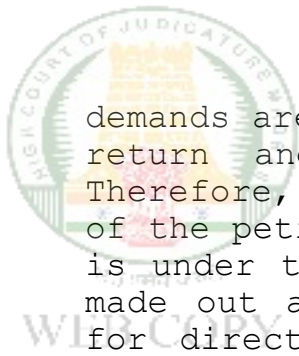
For Respondents : Mrs.M.Aasha  
Government Advocate (Criminal Side)  
for R.1

Mr.V.Sukumar for R.2 to R.4

### **O R D E R**

This petition has been filed to set aside the order passed in Cr1.M.P.No.4769 of 2021 dated 13.11.2021 on the file of Judicial Magistrate No.II, Kuzhithurai, thereby, dismissing the petition filed under Section 156(3) Cr.P.C.

2. A perusal of the complaint lodged by the petitioner revealed that the petitioner runs a shop belonging to the first respondent comprised in Survey No.400/8 at Puthukadai area and the petitioner requested the respondents 2 to 4 to vacate the shop. Further, the petitioner was instructed to hand over the property to him for development purpose. He refused to return the land. Though repeated



demands are made by the second respondent, the petitioner refused to return and also does not vacate the things from the shop. Therefore, the second respondent shifted all the things with consent of the petitioner in the presence of the other respondents. Now, it is under the safe custody of the petitioner. Hence, no offence is made out and the trial Court rightly dismissed the petition filed for direction under Section 156(3) Cr.P.C. Therefore, this Court finds no infirmity or illegality in the order passed by the Court below.

3. Accordingly, this Criminal Revision Case is dismissed. However, the petitioner is at liberty to file a private complaint in the manner known to law, if so advised.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To:-

1. The Judicial Magistrate No.II,  
Kuzhithurai.
2. The Inspector of Police,  
Puthukadai Police Station,  
Kanyakumari District.
3. The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.

COPY TO:

The Section officer,  
Criminal Section/Records,  
Madurai Bench Of Madras High Court, Madurai. (2 COPIES)

+1 CC to M/s.V.SUKUMAR, Advocate ( SR-12799[F] dated 17/03/2022 )  
+1 CC to M/s.S.C.HEROLD SINGH, Advocate ( SR-13029[F] dated 18/03/2022 )

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