



CrI.R.C.(MD).No.201 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CrI.R.C.(MD).No.201 of 2023

M.Vaiyapuri

... Petitioner/Defacto Complainant

Vs.

1.The Inspector of Police,
District Crime Branch,
Tiruchirappalli.
Crime No.26 of 2021.

...1st Respondent/Complainant

2.Kumar

3.Kanmani

... Respondents 2 & 3/Accused.

4.The Inspector of Police,
Anti Land Grabbing Cell,
Trichy.

... 4th Respondent

(4th respondent is *suo motu* impleaded by this Court)

PRAYER: This Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records from the Lower Court and to set aside the order passed in Cr.M.P.No.33492 of 2022, dated 08.12.2022, on the file of the learned Judicial Magistrate No.I, Tiruchirappalli, in connection with Sl.No.41/2022 on the file of the 1st respondent police by allowing this revision.



Crl.R.C.(MD).No.201 of 2023

For Petitioner : Mr.S.Vinayak

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl. Side)

ORDER

This criminal revision case has been preferred to set aside the order passed in Cr.M.P.No.33492 of 2022, dated 08.12.2022, on the file of the learned Judicial Magistrate No.I, Tiruchirappalli, in connection with Sl.No. 41/2022 on the file of the 1st respondent police.

2.The petitioner has given a complaint before the first respondent police against the private respondents herein, which was registered in Crime No.26 of 2021 for the offence punishable under Sections 419, 420, 423, 465, 467, 468, 471 IPC r/w 34 IPC. But, later it was closed as mistake of fact and final report was also filed before the trial Court. Against which, this petitioner has filed the present objection petition. But the same was dismissed by the trial Court, by accepting the final report filed by the respondent police. Against which, this criminal revision case has been filed.

3.The learned Additional Public Prosecutor would submit that the original owner namely Mr.Sundaram filed a complaint before the Inspector



Crl.R.C.(MD).No.201 of 2023

of Police, Anti Land Grabbing Cell, Trichy and FIR in Crime No.1 of 2021 has been registered. After investigation final report was filed before the concerned Court and the same was not taken cognizance so far. So far this petitioner is concerned on the basis of his complaint, case in Crime No.26 of 2021 has been registered on the file of the first respondent herein and after completing the investigation, finding that in respect of the transaction another FIR was also filed before the Inspector of Police, Anti Land Grabbing Cell, Trichy, the present FIR was closed, which was also accepted by the Court.

4.Now the grievance of the petitioner is that he is also one of the victims. Since the original owner has filed a complaint, based upon which, the above said case has been investigated, the petitioner's grievance may also be taken into consideration by the Inspector of Police, Anti Land Grabbing Cell, Trichy. For that purpose, *the Inspector of Police, Anti Land Grabbing Cell, Trichy*, is *suo motu* impleaded as fourth respondent in this matter. The learned Government Advocate (Crl. Side) takes notice for him.

4.Let the parties appear before the fourth respondent herein and give their statement. The fourth respondent shall take further action in this



Crl.R.C.(MD).No.201 of 2023

matter in accordance with law. The grievance of the petitioner may also be vindicated with the above said directions. Accordingly, the order that has been passed by the learned Judicial Magistrate No.I, Tiruchirappalli, in Cr.M.P.No.33492 of 2022, dated 08.12.2022, is hereby set aside and this criminal revision case is **allowed**.

03.03.2023

Index : Yes / No

Internet : Yes / No

TM

(Note: Fourth Respondent is *suo motu* impleaded by this Court. Registry is directed to carryout necessary amendments in this regard)

To

- 1.The Judicial Magistrate No.I, Tiruchirappalli.
- 2.The Inspector of Police,
District Crime Branch,
Tiruchirappalli.
- 3.The Inspector of Police,
Anti Land Grabbing Cell,
Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



Crl.R.C.(MD).No.201 of 2023

G.ILANGOVAAN,J.

TM

Crl.R.C.(MD).No.201 of 2023

03.03.2023