



Crl.R.C.(MD) No.387 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

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S.P.D Karuppiah

: Petitioner/Petitioner

Vs.

1.S.Nirmala

2.S.Shanmugasundaram

3.S.P.Ganeshkumar

4.Manimaran

5.P.Johnson

6.Chandra

7.The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.

: Respondents/Respondents

Prayer : This Criminal Revision is filed under Section 397 & 401 Cr.P.C., to call for the records pertaining to the impugned order passed in Cr.M.P.No. 1707 of 2022, dated 17.02.2023 on the file of the learned Judicial Magistrate, Karaikudi and set aside the same as illegal.



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For Petitioner : Mr.T.Thirumurugan
For 7th Respondent : Mr.R.Sivakumar
Government Advocate (Crl. Side)

ORDER

This Criminal Revision is directed against the order passed in in Cr.M.P.No.1707 of 2022, dated 17.02.2023 on the file of the learned Judicial Magistrate, Karaikudi, dismissing the petition filed under Section 156(3) Cr.P.C.

2. The petitioner's case is that they have constructed three houses in the land belonging to his wife and in possession of the same and all the revenue records were in their name; that in respect of one house, the first respondent had obtained a tax receipt fraudulently in the year 2002; that subsequently, the same was cancelled; that the first respondent with the help of the cancelled receipt, had obtained Electricity connection in collusion with the Electricity Board Officials/respondents 3 to 6 and that therefore, he was constrained to lodge a complaint before the Police and as there was no action, the above petition under Section 156(3) Cr.P.C came to be filed. The



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learned Judicial Magistrate, by perusing the petition filed under section 156(3) Cr.P.C and also the documents filed along with the petition and by observing that there existed civil dispute between the parties and that the petitioner has filed the above complaint to convert the civil case into a criminal case, dismissed the same.

3. When the matter is taken up for hearing today, the learned Government Advocate (Criminal Side) would submit that the petitioner has already filed several complaints against the officials, that there existed land dispute between the petitioner and the first respondent; that the civil suit already ended in favour of the first respondent and that the petitioner has preferred a complaint against the Police officials and the respondents to the higher officials and that the complaint given by the petitioner, after enquiry was already ordered to be closed.

4. Considering the above facts and circumstances of the case and also the submission made by the learned Government Advocate (Criminal Side), it is clearly evident that the petitioner has been attempting to convert the civil dispute into a criminal dispute. Hence, this Court concludes that the Criminal Revision is devoid of merits and the same is liable to be dismissed.



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5. In the result, the Criminal Revision Petition is dismissed.

12.06.2023

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

- 1.The Judicial Magistrate,
Karaikudi.
- 2.The Inspector of Police,
Karaikudi South Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

das

ORDER MADE IN
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