



Crl.RC.(MD).No.967 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.08.2023

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Crl.RC.(MD).No.967 of 2023

M.Hariprasad

... Petitioner

Vs.

1.Ajithkumar

2.Anish

3.Nagarajan

4.Ajith

5.The Superintendent of Police,
Kanyakumari District,
Nagercoil.

6.The Deputy Superintendent of Police,
Thuckalay,
Nagercoil,
Kanyakumari District.

... Respondents

PRAYER : Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code, to call for the entire records relating to the order dated 24.08.2022 of the learned Judicial Magistrate No-I, Kuzhithurai, passed in C.M.P.No.3083 of 2020 and to set aside the same.



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For Petitioner : Mr.P.Bhaskar

For Respondents : Mr.R.Pon Karthikeyan for R1 to R4

: Mr.M.Muthumanikkam
Government Advocate(Crl.Side) for R5 & R6

ORDER

This Criminal Revision Case has been filed against the order passed in C.M.P.No.3083 of 2022 dated 24.08.2022, on the file of the learned Judicial Magistrate No-I, Kuzhithurai.

2. The petitioner herein has filed a petition in C.M.P.No.3083 of 2020, on the file of the learned Judicial Magistrate No-I, Kuzhithurai under Section 156 of Cr.P.C., to take action against the respondent Nos.1 to 4. In the petition it is stated that the respondent Nos.1 to 4 received amount to arrange job for him and thereafter, neither they repaid the amount nor arranged the job for the petitioner and hence, they cheated the petitioner. Therefore, he made a complaint to the jurisdictional police, but they did not take any action and he submitted a petition to the Superintendent of Police. Since there was no action, he filed the petition under Section 156 of Cr.P.C., and the same was dismissed.



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3. The Jurisdictional Police Officer, conducted an enquiry and found that the respondent Nos.1 to 4, conducted a on-line business transactions. Hence, there was no elements of criminality in the allegation. During the investigation, the petitioner filed number of documents. It is found from the materials that there was a business transaction between the petitioner and the respondents 1 to 4, and the same was appreciated by the learned trial Judge and dismissed the petition filed by the petitioner in C.M.P.No.3083 of 2020.

4. In the above facts and circumstances of this case, this Court does not find any merit in the contention of the petitioner that he has given money only for getting job. In view of the above finding of the learned trial Judge on the basis of the enquiry report produced by the jurisdictional investigating officer, this Criminal Revision Case stands dismissed.

31.08.2023

NCC :Yes/No
Index :Yes/No
Internet :Yes/No
sbm



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To
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- 1.The Superintendent of Police,
Kanyakumari District,
Nagercoil.
- 2.The Deputy Superintendent of Police,
Thuckalay,
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Kanyakumari District.



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K.K.RAMAKRISHNAN, J.

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