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CRL.R.C.(MD).No.480 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 28.04.2023

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

CRL.R.C.(MD).No.480 of 2023

Shenbagakumar

: Petitioner

Vs.

1.Arunachalam

2.Subbulakshmi

3.Soma Sundari

4.Rajesh

5.Stephen

: Respondents

PRAYER: Criminal Revision Petition has been filed under Section 397(1) r/w 401 of Cr.P.C, to call for the records relating to the order dated 04.01.2023 in CrI.M.P.No.9713 of 2022 in C.C.No.131 of 2017 on the file of the learned Judicial Magistrate No.II, Kovilpatti and set aside the same.

For Petitioner : Mr.M.Prabhu

ORDER

The Criminal Revision is directed against the order, dated 04.01.2023 in CrI.M.P.No.9713 of 2022 in C.C.No.131 of 2017, on the file of the learned Judicial Magistrate No.II, Kovilpatti, dismissing the impleading petition.



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2. It is evident from the records that the petitioner has filed a private complaint under Section 200 Cr.P.C against the respondents 1 to 3 for the alleged offence under Sections 211, 294(b), 323, 355 and 506(ii) IPC and the same is pending. Pending the above Calender Case, the petitioner has filed an application under Sections 190, 216 and 319 of Cr.P.C, seeking orders to implead two Police Officials by name, Mr.Rajesh, Inspector of Police, West Police Station, Kovilpatti and Mr.Stephen, Sub-Inspector of Police, West Police Station, Kovilpatti, alleging that a false case came to be filed against the petitioner without any materials and he was arrested by the fifth respondent/second proposed accused.

3. Admittedly, the petitioner's private complaint is pending. But the petitioner, without assigning any valid reasons, has filed the above petition to implead the Police Officials allegedly for registering the FIR and arresting the petitioner and the learned Magistrate by rightly observing that whether the case in Crime No.716 of 2016 is a false case or not cannot be gone into at this stage, dismissed the petition.

4. On considering the entire facts and circumstances of the case, this Court is of the view that the impugned order dismissing the petition



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cannot be found fault with. Hence, this Court concludes that the revision is devoid of merits and the same is liable to be dismissed. Accordingly, the revision is dismissed.

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NCC : Yes/No
Index : Yes/No
Internet : Yes/No
das

To

- 1.The Judicial Magistrate No.II, Kovilpatti.
- 2.The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR, J.

das

Order made in

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