



Crl.R.C(MD)No.384 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C(MD)No.384 of 2018

M.Perumal Naiyaker

... Revision Petitioner/
Complainant

Vs.

1.K.Sakkammal

2.J.Muthaiah

3.K.Ramalingam

4.A.Muthulakshmi

5.M/s.Bala Murugan Chemicals Private Limited,
Represented by its Manager,
R.K.Prasad.

... Respondents/
Respondents

PRAYER: Criminal Revision Case filed under Section 397 r/w 40191) of the Code of Criminal Procedure, to call for the records in Cr.M.P.No.87 of 2017 on the file of the learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi District and set aside the same.

For Petitioner : Mr.N.Subramani

For RR 2 to 4 : Mr.Saravanan



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ORDER

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This revision has been filed as against the dismissal of the private complaint in Cr.M.P.No.87 of 2017 on the file of the learned Judicial Magistrate No.I, Thoothukudi, Thoothukudi District.

2.Heard the learned counsel appearing on either side and perused the materials available on record.

3.On perusal of the records revealed that the petitioner is the complainant and he lodged a complaint alleging that the respondents 1 to 4 with dishonest intention sold the property comprised in Survey Nos.62/2, 85/1 and 57 and also other properties in favour of the fifth respondent on 25.07.2012. When it was questioned by the petitioner, the respondents 1 to 4 threatened him and also abused him with filthy language. According to the petitioner, without even effecting any partition over the property since the petitioner is also being the shareholder, the respondents 1 to 4 herein sold out the properties without the knowledge and consent of the petitioner. All the allegations are civil in nature. That apart, already a suit was filed in O.S.No.288 of 2013 on the file of the Sub Court, Thoothukudi, for the relief of partition and also for cancellation of the sale deed and the same is pending. Therefore,



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the Court below rightly dismissed the complaint and this Court finds no infirmity or illegality in the order passed by the Court below and the revision is liable to be dismissed.

4.Accordingly, this Criminal Revision Case is dismissed.

31.03.2023

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

- 1.The Judicial Magistrate No.I,
Thoothukudi,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.K.ILANTHIRAIYAN, J.

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Order made in
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31.03.2023