



Crl.R.C.(MD)No.295 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 07.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.R.C.(MD)No.295 of 2017

P.Ayyappan

... Petitioner

Vs.

1.Ramarajan

2.R.Manickam

3.Prabhu

... Respondents

PRAYER : This Criminal Revision Case has been filed under Section 397 r/w 401 of Cr.P.C., to set aside the order dated 06.09.2016 made in Crl.M.P.No.4576/2016 on the file of the learned District Munsif cum Judicial Magistrate, Sengottai, Tirunelveli District.

For Petitioner : Mr.C.Jeganathan

For Respondents : Mr.M.S.Jeyakarthick

ORDER

This Criminal Revision Case is filed to set aside the order dated 06.09.2016 made in Crl.M.P.No.4576/2016 on the file of the learned District Munsif cum Judicial Magistrate, Sengottai, Tirunelveli District.



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

3. On perusal of the complaint lodged by the petitioner revealed that there is absolutely no *prima facie* case made out to register the FIR, since the entire allegations are civil in nature. Instead of filing the civil suit, the petitioner filed a complaint as against the respondents. Therefore, the Court below rightly dismissed the petition and this Court finds no infirmity or illegality in the order passed by the Court below and the Civil Revision Case is dismissed. However, the petitioner is at liberty to lodge a fresh complaint on the fresh cause of action in accordance with law, if he is so advised.

07.03.2023

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



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- 1.The District Munsif cum Judicial Magistrate,
Sengottai, Tirunelveli District.
- 2.The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.



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G.K.ILANTHIRAIYAN , J.,

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