



CrI.R.C.No.234 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 24.07.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE M.DHANDAPANI**

**CrI.R.C.No.234 of 2024**

J.Rathinapandi

... Petitioner

Vs.

1.Dr.T.Kannan

2.P.Kanagaraj

3.Mohana Ganapathi

... Respondents

**Prayer:**

Criminal Revision Case filed under Section 397 r/w 401 of Criminal Procedure Code, seeking to set aside the order dated 26.12.2023 made in C.M.P.No.3901 of 2022, on the file of the learned Judicial Magistrate No.1, Bhavani.

For Petitioner : Mr.B.M.Subash

**O R D E R**

The criminal revision case has been filed seeking to set aside the order dated 26.12.2023 made in C.M.P.No.3901 of 2022, on the file of the learned Judicial Magistrate No.1, Bhavani.



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2.The case of the petitioner is that the petitioner is running a

grocery shop by name Pandian Maligai at Anthiyur Road, Bhavani for the past 20 years which is situated near to the DSP Office, Bhavani and All Women Police Station, Bhavani. On 17.10.2021, the second respondent at the instruction of the first respondent took the petitioner to the Police Station and in the Police Station, the petitioner came to know that he has been implicated in Crime No.407 of 2021 on the file of the Bhavani Police Station for the alleged offence under Sections 328 I.P.C. r/w. 7(1), 20(1) of COTPA Act.

3.The further case of the petitioner is that before remand, the petitioner was taken to Bhavani Government Hospital and when the Medical Officer enquired why the pressure is in high level, the petitioner stated that the Police have beaten him in the Police Station and the Medical Officer prescribed medicines and no one bought the said medicines for him and the Police threatened the petitioner not to say anything about the attack made on him to the learned Magistrate and hence he did not say anything to the learned Magistrate. Thereafter the petitioner was enlarged on bail by the learned Judicial Magistrate, Bhavani on 29.10.2021. Thereafter, the petitioner filed



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C.M.P.No.3901 of 2022 before the learned Judicial Magistrate No.1,

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Bhavani, seeking to take action against the respondent and the said petition was dismissed. Challenging the same, the petitioner has filed this revision.

4.The learned counsel appearing for the petitioner submitted that the petitioner was approached by the local police officers demanding bribe under the pretext to install CCTV cameras in the Bhavani area and since the petitioner refused to give the said bribe, a false case was registered against the petitioner in Crime No.407 of 2021 on the file of the Bhavani Police Station. The learned counsel further submitted that the petitioner was brutally attacked by the first respondent in the Police Station, thereby he sustained injuries and the injuries were shown to the Medical Officer who was examined as P.W.5, however, P.W.5 for extraneous reasons did not reveal anything before the trial Court and the trial Court dismissed the petition filed by the petitioner which is not sustainable one.

5.Heard the learned counsel appearing for the petitioner. Since this Court is not inclined to pass any adverse order as against the



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respondent, notice to the respondent is dispensed with.

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6.It is the contention of the petitioner that the petitioner was approached by the local police officers demanding bribe under the pretext to install CCTV cameras in the Bhavani area and since the petitioner refused to give the said bribe, a false case was registered against the petitioner in Crime No.407 of 2021 on the file of the Bhavani Police Station. However, the petitioner did not produce any evidence to produce the same. The trial Court after elaborately discussing all the factual aspects, dismissed the petition filed by the petitioner, which warrants no interference.

7.This revision is dismissed.

24.07.2024

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Index: Yes/ No  
Speaking Order: Yes/ No  
NCC: Yes/ No

To

1.The Judicial Magistrate No.1,  
Bhavani.

4/5



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**M.DHANDAPANI,J.**  
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