



WEB COPY



Crl.R.C.No.596 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2024

CORAM :

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

Crl.R.C.No.596 of 2024

M/s.Pramila Motors Pvt.Ltd.
(represented by its E.Sundaravadivelu (in charge)
D6, 6th Floor, Block-1, Blaaji Enclage,
No.110/1-Mugappair Link Road, Nerkundram,
Chennai – 600 107.
Petitioner

...

Vs.

The State represented by its
Inspector of Police,
G1, Police Station, Hospital Road,
Madurantakam,
Chengalput District – 603 306.

... Respondent

Prayer : Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C,
praying to set aside the order passed by the learned Judicial Magistrate
No:1, Maduranthagam in CMP.No.5751 of 2023 dated 06.01.2024.

For Petitioner : Mr.P.Velmurugan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Revision petition has been filed seeking to set aside
the order passed by the learned Judicial Magistrate No:1, Maduranthagam



Crl.R.C.No.596 of 2024

in CMP.No.5751 of 2023 dated 06.01.2024.

WEB COPY

2. It is the case of the prosecution that the petitioner lodged a complaint before the respondent police on 29.05.2023. Though, the law enforcing agency assigned CSR No.480 of 2023, however, no action has been taken. Hence, the petitioner approached the trial Court by filing a petition u/s.156(3) of Cr.P.C. in C.M.P.No.5751 of 2023. The trial Court by order dated 06.01.2024, dismissed the petition, against which, the present revision has been filed.

3. The learned counsel for the petitioner submits that though the petitioner made a detailed complaint by giving all the details about the accused persons, the mode of offence committed by them and also the availability of CCTV recordings in the scene of occurrence, however, in the report submitted by the respondent Police, except for a reference that the Sub Inspector of Police, visited the scene of occurrence and conducted the enquiry, there is no other details. However, without considering the said facts, the trial Court had dismissed the complaint in pursuance to the report submitted by the law enforcing agency on the ground that no



Crl.R.C.No.596 of 2024

documentary evidence was submitted to accept the claim made by the petitioner, which is per se unsustainable. Accordingly, he prayed to allow this petition.

4. Heard the learned Government Advocate appearing for the respondent and perused the materials placed on record.

5. On a perusal of the complaint made by the petitioner it reveals that the petitioner's farm house namely Sundar Gardens situated at Sithattur Village has been maintained by one Karthick and his wife namely Rani, who has been appointed by the petitioner with a monthly salary of Rs.15,000/- with effect from 22.03.2023. However, when the petitioner returned India after being in abroad, it is alleged that the above said persons had stolen many of his valuable belongings from the said farm house, which prompted the petitioner to file a compliant before the law enforcing agency, as no action has been taken, the petitioner made a complaint before the trial Court and the same was dismissed vide order dated 06.01.2024, challenging which, the petitioner is in this revision petition.



Crl.R.C.No.596 of 2024

WEB COPY

6. Though it is alleged that the said Karthick and his wife Rani was appointed by the petitioner as care takers to maintain his farm house, however, neither any appointment order nor any CCTV footage has been submitted either before the trial Court or before this Court to accept the claim of the petitioner and upon perusing all the oral and documentary evidence, the trial Court has rightly dismissed the complaint made by the petitioner, which cannot be interfered with. Hence, the prayer sought for by the petitioner cannot be acceded to. If at all the petitioner has any grievance, he has to approach the trial Court by filing a complaint u/s.200 of Cr.P.C., however without doing so, filing the present petition is wholly unsustainable.

7. This Criminal Revision petition is dismissed accordingly.

30.07.2024

Index : Yes / No
Speaking order / Non-speaking order
NCC : Yes / No
rap



WEB COPY



Crl.R.C.No.596 of 2024

To

1. The Judicial Magistrate No:1, Maduranthagam
2. Inspector of Police,
G1, Police Station, Hospital Road,
Madurantakam,
Chengalput District – 603 306.
3. The Public Prosecutor,
High Court of Madras.



WEB COPY



CrI.R.C.No.596 of 2024

M.DHANDAPANI, J.

rap

CrI.R.C.No.596 of 2024

30.07.2024