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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2024

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THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

Crl.RC.No.978 of 2023

V.M.Vijayaragavan

... Petitioner

-Vs-

1.N.Rukmangatham

2. The Inspector of Police,
F-5, Pathirvedu Police Station,
Tiruvallur District.

... Respondents

Prayer: Criminal revision is filed under Sections 397 and 401 of the Criminal Procedure Code, against the judgment dated 04.03.2023 made in CMP.No.2219 of 2021 on the file of the District Munsif cum Judicial Magistrate Court, Gummidipoondi.

For petitioner : Mr.S.Senthilvel

For Respondent : Mr.R.C.Paul Kanagaraj R1
Mr.A.Gopinath,
Government Advocate
(Crl. Side) R2

ORDER

The Criminal Revision is filed seeking to quash the order dated 04.03.2023 made in CMP.No.2219 of 2021 on the file of the District Munsif



cum Judicial Magistrate Court, Gummidipoondi.

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2. The case of the prosecution is that the petitioner had purchased a property at No.27, Karadiputhur Village measuring an extent of 4.41.0 Ares from the first respondent in the year 2006. That being the factual position, the first respondent had forged the signature of the petitioner and created un-registered sale agreement dated 20.03.2017 in respect of the above said property and trespassed into the same and threatened the petitioner with dare consequences. Further, the first respondent demanded Rs.20 lakhs for handing over the original title deed of the said property. On 23.09.2021, the first respondent lodged a complaint against the first respondent before the second respondent police station. However, no steps has been taken so far. Hence, the petitioner has filed petition before the Designated Court to register a case on the basis of the petitioner's complaint dated 23.09.2021 under Section 156(3) of Cr.P.C. And the same was dismissed vide impugned order dated 04.03.2023. Challenging the same, the present revision has been filed.

3. Heard the learned counsel for the petitioner, the learned counsel appearing for the first respondent and the learned Government Advocate



appearing for the second respondent and perused the materials available on record.

4. When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that before the trial Court, the petitioner as well as the respondent have filed separate suit and the same are pending. This Court, without going into the merits of the case, permit the petitioner to file a petition under Section 200 Cr.P.C. Before the trial Court and this Court may direct the trial Court to dispose the suits without influencing any of the observation made in the impugned order.

5. The learned counsel for the respondent has not raised any objection in this regard.

6. In view of the limited request made by the learned counsel for the petitioner, this Court without going into the merits of the case, permit the petitioner to file a petition under Section 200 Cr.P.C. Before the trial court where the suits are pending. The learned Judge shall dispose the suits which was filed by the petitioner as well as the first respondent as expeditiously as



possible without influencing any of the observation made in the impugned order.

7. With the above directions, this revision is dismissed.

12.07.2024

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Index : Yes/No

Internet: Yes/No

Speaking Order : Yes/No

To

1. The The Inspector of Police,
F-5, Pathirvedu Police Station,
Tiruvallur District.

2. The District Munsif cum Judicial Magistrate Court,
Gummidipoondi.

2. The Public Prosecutor,
High Court of Madras.



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M.DHANDAPANI,J.

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