



Crl.R.C.No.185 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.07.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.R.C.No.185 of 2024

K.S.Arumugam

... Petitioner

Vs.

1.R.Vijayaragavan

2.R.Selvam

3.E.Moorthy

4.K.Poobalan

5.K.Saravanan

...

Respondents

PRAYER : Criminal Revision Petition filed under Section 397 r/w. 401 of the code of Criminal Procedure, to call for the records of the impugned order dated 13.10.2023 passed in Crl.M.P.No.967 of 2021 by the learned Judicial Magistrate No.II, Poonamallee, examine the correctness, legality and propriety of the findings made therein and set aside the same.

For Petitioner : Mr.K.S.Arumugam
Party-in-person



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ORDER

The Criminal Revision Case is filed against the impugned order dated 13.10.2023 passed by the learned Judicial Magistrate No.II, Poonamallee in Crl.M.P.No.967 of 2021.

2. The petitioner/party-in-person appeared before this Court and submits that he is a member in the ruling party and obtained permission from the District Collector, Tiruvallur for erection of digital banner to celebrate Vinayagar Chaturthi festival. However, the Police has registered a false case against him, as if he has not removed the digital banner after expiry of the permission period, on the false complaint given by the respondents, which resulted in filing of the charge sheet before the learned Judicial Magistrate No.II, Poonamallee and it was taken on file in C.C.No.120 of 2014 and the trial Court has acquitted him from the alleged charges. Thereafter, he filed a petition in Crl.M.P.No.967 of 2021 before the learned Judicial Magistrate No.II, Poonamallee, against the respondents for having given a false complaint against him which spoiled the reputation of



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the petitioner in his area and made him to suffer, however, the trial Court dismissed the petition filed by him. Aggrieved over the same, the present petition has been filed.

3. Since the matter was repeatedly adjourned for several months, this Court is inclined to dispose of this petition based on the available materials on record.

4. A perusal of the records reveals that the Police has registered a case against the petitioner as if he has not removed the digital banner after expiry of permission period which was allowed to be placed to celebrate Vinayagar Chathruthi festival at Kannapalayam, in front of Chinnamman Temple and when the respondents, who are the Government officials, attempted to remove the banner, the petitioner and other persons prevented them from discharging their official duty and abused them. On completion of investigation, the charge sheet was filed before the learned Judicial Magistrate No.II, Poonamallee and it was taken on file in C.C.No.120 of 2014 and after trial, the trial Court has acquitted the



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petitioner and other accused persons from the charges on the ground that the prosecution has not proved the guilt of the accused. Thereafter, the petitioner has filed a petition in Crl.M.P.No.967 of 2021 before the learned Judicial Magistrate No.II, Poonamallee, against the respondents for having given a false complaint against him, which spoiled the reputation of the petitioner in his area and it was dismissed on the ground that for the complaint registered against him in the year 2014, he has filed a petition against the officials in the year 2021 and as per Sections 499 and 500 IPC, the petitioner has to file a petition within a limitation period stipulated in the Act and there was no necessity for conducting enquiry in this case, which does not require any interference from this Court, since the respondents have done their official duty which cannot be questioned before the lower Court.

5. Accordingly, the Criminal Revision Case is dismissed.

05.07.2024

NCC : Yes / No

Index : Yes / No

Speaking Order : Yes / No

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M.DHANDAPANI, J.

ssb

To

The learned Judicial Magistrate No.II, Poonamallee,

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