



Crl.RC.No.1303 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Crl.R.C.No.1303 of 2022

A. Venkatachalam

... Petitioner

Vs.

1. Smt. T. Jayanthi Thangabalu

2. K.V. Thangabalu

3. Karthik Thangabalu

4. Vasan

... Respondents

Prayer:- This Criminal Revision is filed under Section 397 read with 401 of Cr.P.C., against the order in Crl.M.P.No.4079 of 2016, dated 22.02.2017, on the file of the Judicial Magistrate's Court No.3, Coimbatore.

For Petitioner : Mr. C. R. Prasanan

For R1 & R2 : Mr. P. K. Rajagopal

For R3 : Mr. T. Pazhanivel

For R4 : Mr. S. Saravanakumar

ORDER



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This Criminal Revision is filed against the order, dated 22.02.2017 passed in Crl.M.P.No.4079 of 2016, on the file of the Judicial Magistrate's Court No.3, Coimbatore.

2. The Learned Counsel appearing for the petitioner would submit that the petitioner made a complaint under Section 200 Cr.P.C as against the respondents for violation of contractual obligations and not honouring the commitments and there are financial implications. He made a private complaint before the Trial Court and the Trial Court dismissed the complaint, challenging the same, the present petition has been filed.

3. However, the learned counsel appearing for the respondents would submit that the dispute is purely civil in nature between the parties and it has to be decided only by the Civil Court as the matter involves contractual obligations between the year 2004 to 2007 and the petition was filed only in the year 2016 after a lapse of nearly 12 years, which cannot be entertained by this Court.

4. This Court heard the submissions of the learned counsel on both



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sides and also perused the materials.

5. Considering the facts and circumstances of the case, this Court is of the view that the dispute between the parties is purely civil in nature and the same has to be decided only by the Civil Court.

6. Accordingly, the Criminal Revision Case is dismissed with liberty to the parties to approach before the Competent Civil Court. There shall be no order as to costs.

05.06.2024

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Internet : Yes

Index: Yes/No

Neutral Citation Case : Yes/No

M.DHANDAPANI, J.,



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