



Crl.RC.No.684 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 12.06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

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R.Bhuvaneswari

...

Petitioner

Versus

1.The State

Rep by its The Inspector of Police,
Sevaipettai Police Station,
Salem District

2.P.Shanmugam

3.M.Mohanakrishnan

4.Maistry @ P.Boopathy

...

Respondents

PRAYER: Criminal Revision Case filed under Sections 438 & 442 of BNSS, praying to set aside the order dated 03.12.2024 made in Crl.MP.No.6856 of 2023 on the file of the Judicial Magistrate Court No.III, Salem and allow the same.

For Petitioner

:

Mr.D.Gopinathan



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For Respondents

For R1 : Mr.A.Gopinath,
Government Advocate(crl.side)

ORDER

This criminal revision has been preferred against the order dated 03.12.2024 made in Crl.MP.No.6856 of 2023 on the file of the Judicial Magistrate Court No.III, Salem, thereby the complaint filed by the petitioner seeking for direction under Section 156(3) of Cr.P.C. was dismissed.

2. Heard, the learned counsel for the petitioner and the learned Government Advocate(crl.side) appearing for the first respondent and perused, the materials placed on record.

3. On perusal of records, it is revealed that the petitioner lodged a complaint alleging that he owns a property and respondents 2 to 4 attempted to trespass the same, pursuant to which he filed suit in OS.No.714 of 2023, which is pending on the file of the Principal Sub Court, Salem. While



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pending the suit, on 10.10.2023 and 12.10.2023, respondents 2 to 4 entered

the property and demolished the wall and also caused damage to the roof.

When it was questioned by the petitioner, respondents 2 to 4 threatened with dire consequences. On receipt of the said complaint, the first respondent conducted detailed enquiry and found that already a civil suit is pending between the petitioner and respondents 2 to 4. Further, respondents 2 to 4 are in the process of demolishing the old construction. While being so, there was a dispute in respect of the wall situated adjacent to the petitioner's house. In this regard, already a suit was filed by the petitioner and it is pending without any interim order. Therefore, the complaint was closed as 'civil in nature'. Aggrieved by the same, the petitioner preferred a private complaint and the same was also enquired in detail. However, the same was dismissed on the ground that there is a civil suit pending between the petitioner and respondents 2 to 4. That apart, the parties scolded with filthy languages against each other.



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4. Therefore, the petition filed by the petitioner was rightly dismissed and this Court finds no infirmity or illegality in the impugned order for interference by this Court.

5. Accordingly, this criminal revision case is dismissed.

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Neutral Citation: Yes/No

Index: Yes/No

Speaking/Non speaking order

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To

- 1.The learned Judicial Magistrate Court No.III, Salem
- 2.The Inspector of Police,
Sevaipettai Police Station,
Salem District
- 3.The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN. J,

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