



WEB COPY

JUDGMENT

The petitioner has challenged the order passed in Criminal M.P.No.23578 of 2024, by which the petitioner's application under Section 175 (3) of BNSS was dismissed.

2. It is the case of the petitioner that certain persons had erected a flex board in his property unauthorisedly and thus committed offences of criminal trespass and under the Tamil Nadu Open Places (Prevention of Disfigurement) Act,1959; that the respondents had not taken any action in spite of his complaint; and he, therefore, filed the petition under Section 175 (3) of BNSS before the learned Magistrate.

3. The learned Magistrate dismissed the said application, stating that mere erection of flex board could not constitute any of the offences, as no damage has been caused to the petitioner's property.

4. Learned counsel for the petitioner would submit that when this case earlier came up for hearing, this Court had directed the respondents to conduct an inquiry and file a report. The respondents have now filed a report, stating that the fourth respondent, whose name is found in the flex board, is no more; that he had



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no right over the property; and that the property belongs to the petitioner.

5. Since, admittedly, the fourth respondent is no more and the flex board said to have been erected in the petitioner's property is found to be illegal, the respondents are directed to take action against the persons, who have erected the flex board, and also for its removal.

6. Criminal Revision Case is disposed of accordingly.

dixit

10.12.2025

To

1. IX Metropolitan Magistrate, Saidapet, Chennai.
- 2.The Commissioner of Police,
Egmore,
Chennai 08.
- 3.The Assistant Commissioner of Police,
J-3, Guindy, Chennai – 32.
- 4.The Inspector of Police,
J-3, Guindy Police Station,
Opposite Thiru Vi Ka Industrial Estate Bus Stop,
Guindy,
Chennai – 32.
- 5.Public Prosecutor, High Court, Madras.



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SUNDER MOHAN,J.

dixit

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10.12.2025