



Crl.R.C.No.575 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2025

CORAM:

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

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Rukkammal

.... Petitioner

Versus

1.The State Rep by
The Inspector of Police,
Taluk Police Station Gudiyatham,
Vellore District.

2.Rajiv Gandhi

3.Arasu

4.Kavitha

.... Respondents

PRAYER: Criminal Revision Case is filed under Sections 397 and 401 of Code of Criminal Procedure to call for the records in Crl.M.P. No.4322 of 2024 dated 27.03.2025 on the file of Judicial Magistrate, Gudiyatham and to set aside the same.

For Petitioner : Mr.R.Sankarasubbu

For R1 : Mr.A.Gopinath
Government Advocate (Crl.Side)

For R2 to R4 : Mr.G.Vinodhkumar

ORDER



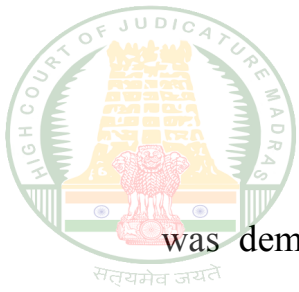
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This Criminal Revision Case has been filed as against the order passed in Crl.M.P.No.4322 of 2024 dated 27.03.2025 on the file of Judicial Magistrate, Gudiyatham, thereby dismissing the petition under Section 175(4) of BNSS filed by the petitioner seeking direction to register the First Information Report.

2. The petitioner lodged a complaint before the 1st respondent alleging that she had been residing at Senkunram Village, Gudiyatham, for the past several years. While she was away from her house, respondents 2 to 4 herein trespassed into the house, completely demolished the house using a JCB and also damaged the service connection attached to the house. When it was questioned by the petitioner, respondents 2 to 4 allegedly abused her in filthy language and also assaulted her. However, no action was taken based on her complaint. The petitioner filed a petition seeking a direction against the 1st respondent under Section 175(4) of BNSS. However, the petition was dismissed on the ground that the allegations were civil in nature.

3. Though notice has been served on the respondents 2 to 4, none appeared on behalf of them either in person or through pleader.

4. On perusal of the records, it is admitted that the petitioner's house



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was demolished by respondents 2 to 4. Though a civil dispute is pending between the petitioner and respondents 2 to 4, the said respondents have committed a serious offence by demolishing the entire house and also assaulting the petitioner. Therefore, a *prima facie* case is made out by the petitioner to register the First Information Report.

5. In view of the above, this Criminal Revision Case is allowed. The order passed by the Judicial Magistrate, Gudiyatham is set aside. The 1st respondent is directed register the FIR against the respondents 2 to 4 and proceed in accordance with law.

24.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

rpl

To

1.The Judicial Magistrate, Gudiyatham.

2.The Inspector of Police,
Taluk Police Station Gudiyatham,
Vellore District.

3.The Public Prosecutor, High Court of Madras, Chennai.

G.K.ILANTHIRAIYAN, J.

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