



Crl.R.C.No.1027 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2025

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.1027 of 2023

and

Crl.M.P.No.8185 of 2023

1. P.Murugesan

2. Kiruthika

3. Pushpa

... Petitioners

Vs.

1. The Sub Divisional Magistrate,
and Revenue Divisional Officer,
Gopichettypalayam,
Erode District.

2. The State represented by,
The Inspector of Police,
Vellithiruppur Police Station,
Erode District.

3. Sivagami

4. Thangaraj

5. C.Murugesan

... Respondents



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PRAYER:
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Criminal Revision Petition filed under Sections 397 and 401 of Cr.P.C., to set aside the order dated 16.05.2023 passed in Na.Ka.No.9604 of 2022/A2 by the first respondent.

For Petitioners : M/s.P.Vijendran

For R1 & R2 : Mr.S.Sugendran
Additional Public Prosecutor

For R3 to R5 : Not ready in notice

ORDER

This Criminal Revision Petition has been filed to set aside the order dated 16.05.2023 passed in Na.Ka.No.9604 of 2022/A2 by the first respondent.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the official respondents and perused the materials available on record.

3. It is stated by the learned counsel for the petitioner that the issue involved herein is partition among the co-parceners and in respect of that, already civil proceedings have been initiated by one of the parties before the civil court and however, the second respondent referred the



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matter before the first respondent and further, the first respondent passed the impugned order dated 16.05.2023. Aggrieved by the same, the petitioners filed this criminal revision petition.

4.This Criminal Revision Petition is pending from the year 2023. Despite this Court ordered notice to the private respondents on 21.06.2023, the petitioner has not taken effective steps to serve notice on them. The impugned order passed under Section 145 Cr.P.C., is summary in nature and the same is subject to the decision of the competent civil court. Hence, the petitioners are at liberty to work out their remedy before the competent civil Court.

5. In view of same, this Criminal Revision Petition is dismissed. Consequently, connected miscellaneous petition is closed.

21.03.2025

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

1. The Sub Divisional Magistrate,
and Revenue Divisional Officer,
Gopichettypalayam,
Erode District.
2. The Inspector of Police,
Vellithiruppur Police Station,
Erode District.
3. The Public Prosecutor,
High Court, Chennai.



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P.VELMURUGAN, J.

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