



Crl.R.C.No.681 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2025

CORAM:

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

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H.Latha

..... Petitioner

Vs

The State Rep. by
Sub Inspector of Police,
Panamadangi Police Station,
K.V.Kuppam Taluk,
Vellore District.

..... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 r/w 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the order in Crl.M.P.No.1161 of 2025 dated 22.04.2025 passed by the learned Judicial Magistrate, Katpadi, Vellore and thereby allow the above Criminal Revision Petition.

For Petitioner : Mr.B.Sundarapandiyan

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

ORDER

This Criminal Revision Case has been filed as against the order dated 22.04.2025 passed in Crl.M.P.No.1161 of 2025 on the file of the Judicial Magistrate, Katpadi, Vellore, thereby dismissing the complaint seeking



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direction under Section 156(3) of Cr.P.C.

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2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner, based on oral agreement, was permitted to put up a shed in the land owned by the counter party, comprised in Survey No.69/3A, to an extent of 0.23.0 cents, situated at Kalambattu Village, K.V.Kuppam Taluk, Vellore District. Pursuant to the said arrangement, the petitioner put up a shed for carrying out poultry business. While being so, the counter party directed the petitioner to vacate and hand over the possession of the said land. Subsequently, the counter party, along with an excavator, demolished the entire shed, in which live chicken were available in the shed, thereby causing loss to the petitioner to the tune of Rs.4,00,000/-. The alleged occurrence took place on 03.02.2025. However, the petitioner did not lodge any complaint on 03.02.2025. He lodged a complaint only on 08.02.2025, that too by registered post to the respondent. Thereafter, after forwarding the complaint to the superior officer, the petitioner approached the Magistrate seeking a direction under Section 156(3) of Cr.P.C.

4. A perusal of the documents reveals that admittedly the petitioner was occupied the premises through unregistered oral agreement. There was a dispute between the petitioner and the counter party in respect of



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vacating the premises. Therefore, the entire allegations are civil in nature and

no prima facie case has been made out to constitute any cognizable offence, since the possession dispute between the petitioner and the counter party. That apart, the alleged occurrence took place on 03.02.2025. Whereas, the petitioner did not lodge any complaint for period of five days from the date of occurrence and lodged a complaint only on 08.02.2025. Though the learned counsel for the petitioner submitted that a complaint was lodged on 03.02.2025 itself, the same was not received by the respondent, there is absolutely no proof to show that the petitioner lodged the complaint on 03.02.2025 before the respondent.

5. In view of the above, this Court finds no infirmity or illegality in the order dated 22.04.2025 passed in Crl.M.P.No.1161 of 2025 on the file of the Judicial Magistrate, Katpadi, Vellore.

6. Accordingly, this Criminal Revision Case stands dismissed.

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

G.K.ILANTHIRAIYAN, J.



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To

1. The Judicial Magistrate,
Katpadi, Vellore
2. The Sub Inspector of Police,
Panamadangi Police Station,
K.V.Kuppam Taluk,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.

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