



Crl.RC.(MD) No.859 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.(MD) No.859 of 2025

M.B.Sudalaiandi

... Petitioner

Vs.

1. The State of Tamilnadu rep. by
The Inspector of Police
District Crime Branch-II Police Station
Thoothukudi District
(Crime No.29 of 2025)

2. M.B.Poisollan

3. P.Jayanthi

... Respondents

Prayer: Criminal Revision Case filed under Section 438 read with 442 of BNSS to call for the records pertaining to the order passed by the Judicial Magistrate Court No.4, Thoothukudi in RCS No.376 of 2025 dated 17.03.2025 and thereby, set aside the same.

For Petitioner : Mr.A.Robinson

For 1st Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)



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ORDER

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This Criminal Revision Case has been filed by the petitioner to set aside the order passed by the learned Judicial Magistrate No.4, Thoothukudi in RCS No.376 of 2025 dated 17.03.2025.

2. The case of the petitioner is that the petitioner had filed a complaint against his brother and brother's wife and the same was registered in Crime No.29 of 2015 for the offences under Sections 12(b), 465, 468, 471 and 420 of IPC. After completion of investigating, the Investigating Agency filed 'action dropped report' before the Judicial Magistrate No.4, Thoothukudi, and the learned Magistrate also issued notice to the petitioner. On receipt of the notice, the petitioner filed a protest petition before the learned Judicial Magistrate and on hearing the matter, the learned Judicial Magistrate dismissed the protest petition and confirmed the report filed by the Investigating Agency. Therefore, challenging the same, the present revision is filed.

3. The learned Government Advocate (Crl. Side) appearing for the first



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respondent submitted that the dispute between the brothers, is due to the mistake occurred in the property document and later on, the mistake was rectified. There is no intention on the part of the accused to grab the property by creating encumbrance. The Investigating Agency, after conducting investigation found that the ingredients of the offences mentioned in the FIR were not made out and it was a fit case for dropping further action and therefore, they filed the 'action dropped report' before the Judicial Magistrate concerned. The learned Magistrate also accepted the same after enquiring the protest petition. Therefore, there is no merits in this petition.

4. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the first respondent and also perused the materials available on record.

5. Since no adverse order is being passed against the respondents 2 and 3, notice to the respondents 2 and 3 is dispensed with.

6. It is seen that the dispute between the parties is civil in nature. If at all



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the petitioner is aggrieved by the report, he is at liberty to approach the competent civil Court to work out his remedy in the manner known to law.

7. This Court does not find any perversity in the order passed by the learned Judicial Magistrate and there is no abuse of process of law. The petitioner has not made out any grounds to set aside the order passed by the learned Judicial Magistrate.

8. Therefore, this Criminal Revision Petition is dismissed.

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Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No
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To

1. The Judicial Magistrate No.4,
Thoothukudi

2. The Inspector of Police
District Crime Branch-II Police Station
Thoothukudi District

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



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P.VELMURUGAN,J.

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