



Crl.RC.No.2150 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.03.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.2150 of 2023

T.Muruganandam

... Petitioner

Vs.

1. The Inspector of Police
Paravakkottai Police Station
Paravakkottai
Mannargudi Taluk
Tiruvarur District

2. T.Kalaiyaran

... Respondents

Prayer: Criminal Revision Case filed under Sections 397 and 401 Cr.P.C. to set aside the order dated 20.09.2023 made in Crl.M.P.No.6505 of 2023 on the file of the Judicial Magistrate Court No.2, Mannargudi, Tiruvarur District.

For Petitioner	: Mr.S.Kasirajan
For 1 st Respondent	: Mr.S.Sugendran Additional Public Prosecutor
For 2 nd Respondent	: No Appearance



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ORDER

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This Criminal Revision Case has been filed by the petitioner to set aside the order dated 20.09.2023 made in Crl.M.P.No.6505 of 2023 on the file of the Judicial Magistrate Court No.2, Mannargudi, Tiruvarur District.

2. The case of the petitioner is that the 2nd respondent is the younger brother of the petitioner. The petitioner had lodged a online complaint to register a case against the 2nd respondent and others over the suspicious death of his mother T.Kunjammal and he had also sent complaints to the higher officials. However, since no action was taken, the petitioner filed a petition in Crl.M.P.No.1086 of 2023 before the Judicial Magistrate Court No.2, Mannargudi, Tiruvarur District, seeking direction to register FIR and to investigate the matter. The learned Magistrate, by order dated 04.03.2023, directed the first respondent police to register the case and to file report within a period of 15 days. However, the first respondent police without registering the case, filed a report stating that due to property dispute, the petitioner is



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lodging false complainant against his brother and others. Hence, the petitioner filed a protest petition in Crl.M.P.No.6505 of 2023, but the same was also dismissed by order dated 20.09.2023. Aggrieved by the same, the present revision is filed.

3. Heard and perused the materials available on record.

4. According to the petitioner, he lodged a complaint before the police against his own brother/2nd respondent over the suspicious death of his mother, but no action was taken and therefore, he filed a petition seeking direction to register FIR and though the Magistrate issued directions to the police to register FIR, the respondent police closed the complaint and therefore, he filed the protest petition and the same was also dismissed, whereas, it is seen from the records, that the mother of the petitioner died on 12.12.2022 and the petitioner himself admitted that he came to know about the same on the next day itself i.e. 13.12.2022 itself, however he had not filed any complaint or attended the funeral of his own mother. Thereafter, on 15.12.2022 only, he

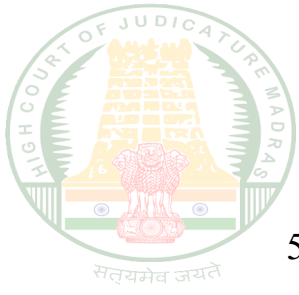


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lodge the online complaint. Subsequently, based on the direction of the Court,

the respondent police conducted preliminary enquiry and closed the complaint.

Thereafter, the petitioner has approached the Magistrate by way of protest petition and the learned Magistrate while considering the entire materials found that no prima facie material available to take cognizance of the complaint and thereby, dismissed the petition. The petitioner being a Government employee himself admitted that though he had suspicious over the death of his mother, he did not attend the funeral ceremony of his mother. Though the petitioner stated the reason that there was a life threat to him, he had not lodged any complaint immediately or taken any effective steps to attend the funeral ceremony of his mother or moved the Court for taking Autopsy on the body of his mother and conveniently he kept quite and after completion of the funeral ceremony, he had come forward with the complaint. The respondent police also during preliminary enquiry found that there was no prima facie material.



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5. Therefore, this Court finds that there is no merits in this revision and

the same is liable to be dismissed.

6. Accordingly, this Criminal Revision Case is dismissed.

12.03.2025

Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

1. The Judicial Magistrate Court No.2,
Mannargudi, Tiruvarur District.

2. The Inspector of Police
Paravakkottai Police Station
Paravakkottai, Mannargudi Taluk
Tiruvarur District

3. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN. J.

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