



CRL RC(MD)No.608 of 2025

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 24.07.2025**

**CORAM:**

**THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**CRL RC(MD)No.608 of 2025**

S.Krishna Kumar

... Revision Petitioner /Petitioner

Vs.

1.Jesus Raj

2.Dharmaraj

3.Suresh

4.Jeyakumar

5.Kanagabai

6.Reeba Rani

7.Raja Kumari

... Respondents1 to 7/ Respondents  
1 to 7

8.The Inspector of Police,  
Palugal Police Station,  
Kanyakumari District.

... 8<sup>th</sup> Respondent / Respondents

**PRAYER:** Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, to call for the records and allow this Criminal Revision case and set aside the order passed in C.M.P.No.341 of 2025 on the file of the learned Judicial Magistrate No.I, Kuzhithurai, dated 20.03.2025.



WEB COPY



*CRL RC(MD)No.608 of 2025*

For Petitioner : Mr.Charles Kamalesh M. Appaji  
For R-1 to R-7 : Mr.P.H.Dani Jeshwanth  
For R-8 : Mr.M.Sakthi Kumar,  
Government Advocate

**ORDER**

Challenging the order passed by the learned Judicial Magistrate No.I, Kuzhithurai, dated 20.03.2025, passed in Crl.M.P.No.341 of 2025, this Criminal Revision case is filed.

2. The petitioner filed an application before the learned Judicial Magistrate under Section 175(3) of BNSS, 2023, as against the respondents 1 to 7. Thereafter, the learned Judicial Magistrate has called for a status report from the 8<sup>th</sup> respondent police. On receipt of the status report from the 8<sup>th</sup> respondent police dated 20.03.2025, the learned Judicial Magistrate had passed an order accepting the said report and on being satisfied by the report filed by the investigation officer, dismissed the Crl.M.P.No.341 of 2025. Challenging the same, this Criminal Revision case came to be filed.

3. The learned counsel for the petitioner submitted that the respondents 1 to 7 together trespassed into the property of the

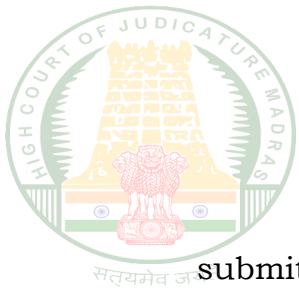


*CRL RC(MD)/No.608 of 2025*

petitioner on 26.03.2024 at about 11:45 AM, by putting up asbestos sheet compound wall. Immediately, he preferred a complaint before the 8<sup>th</sup> respondent police station, for which, a CSR bearing CSR.No.182 of 2024 was issued. Thereafter, on the same day, at about 5:00 PM, they had caused a lot of damage by felling various trees which stood in the said property and also had set fire and caused a loss to a tune of Rs. 50,000/- and hence, he had informed the police. However, due to the inaction of the police, he had preferred this complaint and sought for interference of this Court by setting aside the impugned order.

4. Per contra, the learned counsel for the respondents 1 to 7 categorically submitted that the entire story is a false narrative and had there been a trespass as alleged by the petitioner, obviously he would have been able to produce at least a single photograph showing the putting up of an aspectos compound wall which would prove that the respondents had set fire. Having not done so, he only preferred an online complaint on 30.03.2024. However, the police did not rightly indulge because nothing of that sort had happened.

5. The learned Government Advocate Mr.M.Shakthikumar,



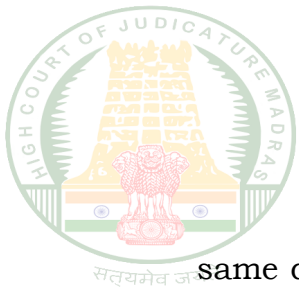
*CRL RC(MD)No.608 of 2025*

submitted that the police had duly conducted an enquiry and had filed a status report and there was no iota of evidence which would substantiate that the respondents 1 to 7 had caused any damage to the said property and the petitioner was also not able to produce any material evidence to prove his allegations.

6. However, when this Court raised a question to Mr. Shakti Kumar as to whether they received any call in the Emergency number 100, he submitted that the police did not receive any such call.

7. Heard the learned counsels on either sides and carefully perused the materials available on record.

8. The learned Trial Court on being satisfied by the report of the investigation officer had accepted the said report and had dismissed the same. A careful perusal of the report would reveal that the petitioner did not make any complaint as alleged by the petitioner on 26.03.2024, at about 5:00 PM. The police had clearly investigated and had reported that, had there been an incident in such a way as alleged by the petitioner, obviously he would have lodged the complaint at least on the



*CRL RC(MD)/No.608 of 2025*

same day or at least on the next day. The petitioner did not receive any such complaint as to the fact that the respondents 1 to 7 have caused damage at 5.00 PM, nor the petitioner was able to give any material evidence to substantiate that he had put up a compound wall.

9. However, the learned counsel for the petitioner is not able to produce any materials which would prove the fact that he had informed the alleged incident which took place on 26.03.2024 at 5:00 PM neither proving by way producing the mode of information nor able to produce the number through which he had contacted the police or even submit that he had made a call under the emergency number 100.

10. In view of the same, I am not inclined to interfere with the impugned order.

11. Accordingly, this Criminal Revision case is dismissed. No costs.

**24.07.2025**

NCC : Yes / No  
Index : Yes / No  
Internet : Yes  
Sml



*CRL RC(MD)No.608 of 2025*

WEB COPY

To

- 1.The Judicial Magistrate No.I, Kuzhithurai.
- 2.The Inspector of Police,  
Palugal Police Station,  
Kanyakumari District.
- 3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



WEB COPY



*CRL RC(MD)No.608 of 2025*

**L.VICTORIA GOWRI, J.,**

Sml

**CRL RC(MD)No.608 of 2025**

**24.07.2025**