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CRL RC No. 890 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL RC No. 890 of 2026

J.Krishnakumar
S/o.(Late) Mr.Jayabaalan,
Old No. 1/132,
New No. 390,
Indranagar,
2nd Street,
Santhoshpuram,
Chennai -73.

..Petitioner(s)

Vs

1. The Superintendent of Police
District Police Office,
Cuddalore District.
2. The Inspector of Police
Central Crime Branch -II,
Cuddalore.

..Respondent(s)

PRAYER: This Criminal Revision Petition filed under Section 438 r/w 442 of BNS, 2023 to call for the records and set aside the order passed by the Learned Judicial Magistrate -I, Panruti in CrI.M.P.No. 5134/2025 dated 24.03.2026 and thus render justice.

For Petitioner(s):

Mr.C.R.Malarvannan

For Respondent(s):

Mr.S.Vinoth Kumar

Government Advocate for R1 and R2

ORDER

This present Criminal Revision Petition has been filed challenging the order of the learned Judicial Magistrate No.I, Panruti in CrI.M.P.No.5134 of



2025 dated 24.03.2026, wherein the learned Magistrate dismissed the application.

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2. The learned counsel for the petitioner submitted that the learned Magistrate, without properly appreciating the spirit of the complaint, has erroneously passed the impugned order by merely relying upon the police report. It is further submitted that, subsequent to the filing of the police report, the petitioner had also filed a detailed reply, however, the learned Magistrate failed to consider the same. The entire grievance in the present complaint revolves around the property comprised in New Survey No.355/1 and Old Survey Nos.40/2 and 49/2 situated at Kattukudalore Village. It is the further contention of the learned counsel for the petitioner that, in respect of the aforesaid survey numbers, the Village Administrative Officer (VAO) has issued an Adangal extract, and based on the same, the opposite party has created documents, which are alleged to be fabricated, thereby attracting criminal prosecution.

3. At this juncture, this Court posed a pertinent query to the learned counsel for the petitioner regarding the police report in respect of Old Survey Nos.40/2 and 49/2. It is seen that, even as early as in the year 1953, a portion of the said property had been sold by the predecessor-in-title of the defacto complainant to one Ramalingam, and the opposite party is claiming title through



the said Ramalingam. In response, the learned counsel for the petitioner submitted that, though a portion of the property was sold to the said Ramalingam, the present opposite party is now claiming title over the entire extent comprised in New Survey No.355/1.

4. The learned counsel for the petitioner also relied upon the A-Register, wherein it is indicated that for Survey No.355/1, the corresponding old Survey Nos. are 40/2 and 49/2. Similarly, for Survey No.355/2, the old Survey Nos are also shown as 40/2 and 49/2. Therefore, it is contended that, even as per the A-Register, both Survey Nos.355/1 and 355/2 trace back to the same old survey numbers. Taking advantage of the same, the opposite party is alleged to have created fabricated documents.

5. While looking into the impugned order, it is seen that the learned Magistrate has elaborately dealt with the entire issue and has ultimately recorded a finding that there exists a long-standing title dispute between the petitioner and the respondent. Even from the submissions made by the learned counsel for the petitioner, it is evident that the dispute revolves around the existence of common old survey numbers for Survey Nos.355/1 and 355/2.

6. Therefore, as rightly observed by the learned Magistrate, no criminal proceedings can be initiated in such circumstances, and the dispute can only be



resolved through appropriate civil proceedings. In the absence of prima facie materials to invoke criminal jurisdiction, this Court finds no infirmity in the order passed by the learned Magistrate.

7. Accordingly, this Criminal Revision Petition is dismissed.

20-04-2026

DRL

To

1.The Judicial Magistrate No.I,
Panruti.

2.The Superintendent of Police
District Police Office,
Cuddalore District.

3.The Inspector of Police
Central Crime Branch -II,
Cuddalore.

4.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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