



Crl.A(MD)No.50 of 2011

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 05.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.A.(MD)No.50 of 2011

A.Selvaraj

... Appellant/Complainant

vs.

Desigan

...Respondent/Accused

PRAYER : This Criminal Appeal has been filed under Section 378 Cr.P.C., to set aside the order passed in S.T.C.No.42 of 2007 dated 13.03.2009 on the file of the learned Judicial Magistrate No.IV, Madurai.

For Appellant : Mr.T.Muruganantham

JUDGMENT

This Criminal Appeal is filed against the order passed in S.T.C.No. 42 of 2007 on the file of the learned Judicial Magistrate No.IV, Madurai, dated 13.03.2009.

2.It is seen from the records revealed that there was no representation on behalf of the appellant/complainant before the trial Court either by person or through pleader. The case is of the year 2005



Crl.A(MD)No.50 of 2011

and for the past past four years, no one was represented on behalf of the appellant/complainant. Therefore, the Court below has rightly dismissed the complaint and acquitted the respondent/accused for the offence under Section 256 of Cr.P.C. Hence, this Court finds no infirmity or illegality in the order of dismissal by the Court below. Therefore, the appeal is liable to be dismissed.

3. Accordingly, the Criminal Appeal stands dismissed.

05.04.2023

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NCC : Yes/No

Index: Yes/No

Internet: Yes/No

To

1. The Judicial Magistrate No.IV, Madurai.

2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court,
Madurai.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.A(MD)No.50 of 2011

G.K.ILANTHIRAIYAN , J.

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Crl.A.(MD)No.50 of 2011

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