



CRL MP(MD). No.17283 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Appellate Jurisdiction

Thursday, the Seventh day of December Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD). No.17283 of 2023

in

CRL OP(MD)No.16167 of 2023

1. Babu @ Chandra Babu
2. Sree krishna Perumal

... Petitioners/ Accused No.1 & 2

Vs

1. The Inspector of Police,
Kottar Police Station,
Kanyakumari District.
(Crime No.410/2022).

- 2 S.Bharath

... Respondent/De -facto Complainant

Prayer :-

Criminal Miscellaneous Petition is filed U/s.482 of the Criminal Procedure Code to restore the Criminal Original Petition in Crl.OP(MD)No.16167/2023 on the file of this Honble Court to the file which was dismissed for default by setting aside the order dt.19/10/2023.

Prayer in CRL OP(MD). 16167/ 2023 :

Criminal Original Petition is filed U/s.482 of the Criminal Procedure Code to call for the records in C.C No. 70 of 2023 on the file of the Judicial Magistrate No.II, Nagercoil and quash the same as against as illegal as against these petitioners.

ORDER:- This Petition coming on for orders on this day and upon perusing the
<https://www.mhc.tn.gov.in/judis>



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petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. K.N.Guru, Advocate for the Petitioners and of M/s. M.Vaikam Karunanithi, Government Advocate for the R1, this Court made the following order:

“This petition has been filed to restore the CrI.O.P(MD) No.16167 of 2023.

2. The learned counsel appearing for the petitioners submitted that since the learned counsel went to attend exam on the date of hearing he was unable to appear before this Court on the date of hearing and hence the case was dismissed for default.

3. The reasons stated by the learned counsel for the petitioners is satisfactory and the petition is allowed and CrI.O.P(MD) No.16167 of 2023 is restored to file.”

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/12/2023

Sub Assistant Registrar(CS)

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TO

1. The Judicial Magistrate No.II,
Nagercoil

2.The Inspector of Police,
Kottar Police Station,
Kanyakumari District.



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

Copy to

The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 07/12/2023

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Restore

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CRL MP(MD). No.17283 of 2023

in

CRL OP(MD)No.16167 of 2023

Giving direction and etc.

as stated within.

AMS/20.12.2023 3P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.