

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Criminal Revision Case No.792 of 2015

R.Sailakshmi

.. Petitioner/Third party

vs

1. The Oriental Benefit and Deposit
Society Limited
No.108, Andiappan Street
Chennai 600 079.

2. G.H.Krishnakumar
3. Gopukumar

4. The State rep.by its Inspector of Police
Economic Offences Wing II
Chennai 600 040.

5. The Competent Authority/
District Revenue Officer
Chennai.

.. Respondents/Respondent

Criminal Revision case filed under Sections 397 and 401 of Cr.P.C. against the order dated 15.05.2015 passed by the learned Special Judge, TNPID Court, Chennai in CrI.M.P.No.2165 of 2011 in Crime No.12 of 2005

For Petitioner : No appearance
For Respondents : Service awaited
for RR1 to RR3

Mr.Mohd.Riyaz
Government Advocate
(CrI.side) For R 4 and 5

ORDER

The petitioner has come forward with this Criminal Revision case as against the order dated 15.05.2015 passed by the learned Special Judge, TNPID Court, Chennai in CrI.M.P.No.2165 of 2011.

2. When the matter was listed on 14.08.2015, there was no representation for the petitioner. Hence, the matter was directed to be listed today under the caption "for dismissal". Today, also there is no representation for the petitioner. The private notice ordered also has not been taken. Hence, this Court is constrained to pass orders on merits, on going through the available records, as per the decision of the Hon'ble Apex Court reported in (2013)3 SCC 721 [K.S.Panduranga vs. State of Karnataka].

3. The brief facts of the case is as follows:

The petitioner filed a petition under Section 451 of the Criminal Procedure Code seeking a direction to the Inspector of Police, Economic Offences Wing II, Chennai for return of her property, viz., jewels. The Court below passed a conditional order dated 29.04.2015 directing the petitioner to remit a sum of Rs.63,000/- on or before 14.05.2015 and on payment of such amount, directed respondents 1 to 3 to return back the jewels. However, the petitioner did not comply with the conditional order passed; hence, vide order dated 15.05.2015 dismissed the petition filed by the petitioner. Hence, the revision.

4. The only ground raised by the petitioner in this revision is that the conditional order passed by the Court below could not be complied with by her, only because of the wrong impression that Courts would have been closed during summer vacation. However, she is ready to comply with the condition imposed by the Court below, if time is granted by this Court.

5. Though the reason stated by the petitioner appears to be a genuine one, the same could not be granted by this Court as neither the petitioner has appeared before this Court nor the notice has been served on the contesting respondents. Further the lower court rightly rejected it after having given sufficient time. Hence, I do not find any reason to interfere with the order passed by the Court below.

6. Accordingly, this Criminal Revision Case is dismissed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Special Judge, TNPID Court, Chennai.
2. The Inspector of Police, Economic Offences Wing II, Chennai-40
4. The Public Prosecutor, Madras
3. The Competent Authority/district Revenue Officer

Crl.RC.No.792 of 2015

GR(CO)

Eu 23.09.15