

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.7.2015

Coram

THE HONOURABLE MR. JUSTICE B. RAJENDRAN

Crl.Revision Case No.395 of 2010

A. Chinnasamy

...Petitioner

Versus

1. State by
Inspector of Police
Mangalamedu Police Station
Perambalur District
2. S.P.Arumugam
3. Pachaiaammal
4. Palaniammal
5. Natarajan
[R2 to 5 impleaded as per order
of this Court dated 21.04.2010
in M.P.No.1 of 2010]

...Respondents

Revision Petition filed under Section 397 read with Sec. 401 of Cr.P.C. against the order dated 28.7.2009 and made in Crl.MP.No.2528 of 2009 on the file of the Judicial Magistrate, Perambalur and praying to set aside the same.

For Petitioner : Mr.T.Anbu

For respondent : Mr.V.Arul
Government Advocate

ORDER

Though the learned Counsel has elaborately argued on this matter, he confined his arguments to the extent that a direction may be issued to the Civil Court, to pass appropriate orders on merits independently, without taking note of any of the observation made by the Court below in the Criminal proceedings.

2. Admittedly, a civil suit is pending between the parties and the same was the basic reason for dismissal of the petition in Crl.MP.No.2529 of 2009 by the Court below.

3. Considering the submission made by the learned counsel for the petitioner and the fact that the matter is ceased of by the Civil Court, this Criminal Revision case is dismissed with liberty to the petitioner to work out his remedy in the manner known to law. Since the civil suit in O.S.No.263 of 2005 is pending, the learned District Munsif Court, Perambalur, is directed to decide the said suit independently de hors any observation made by the Court below in the above criminal proceedings.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

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To

1. The Judicial Magistrate,
Perambalur

2. The Public Prosecutor,
High Court, Madras.

3. The State of
Inspector of Police,
Mangalamedu Police Station,
Perambalur District.

Copy to
The District Munsif,
Perambalur.

1 CC to Mr.T.Anbu, Advocate SR.No. 38227

1 CC to M/s. M.Srividhya, Advocate SR.No. 38111

VSN (CO)
PSI (14.08.2015)

Crl.RC No.395 of 2010

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