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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2015

CORAM

THE HON'BLE MR. JUSTICE C.T.SELVAM

CRL.O.P. (MD) No.22589 of 2014

S.G.Kalilulla Ibrahim

.. Petitioner

.. Vs ..

1.The State rep. by
The Inspector of Police,
Law and Order,
Thideer Nagar Police Station,
Madurai City.
(Crime No.459 of 2010)

2.Meer Fakrudeen Munshi @ Gownien

3.Syed Sahul Hameed @ Nabin

4.S.M.A.Munshi @ Thabrez

.. Respondents

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to call for the entire records pertaining to the order passed by the learned Principal District and Sessions Judge, Madurai, Madurai District in Cr.M.P.No.(Unnumbered) of 2014 in Crl.R.P.No.83 of 2014 on 13.11.2014 and set aside the same and consequently direct the said learned Principal District and Sessions Judge, Madurai to take the above said application on his file so as to deal with the same along with the above said main criminal revision petition pending on his file and thereby enable the petitioner to put forth his say in this regard.

For Petitioner : Mr.R.Anand

For R-1 : Mr.K.V.Rajarajan
Government Advocate(Crl. Side)

ORDER

This petition has been filed against the return of a petition moved by the petitioner/defacto complainant in the case registered in Crime No.459 of 2010 on the file of the Inspector of Police, Law and Order, Thideer Nagar Police Station, Madurai City. Pursuant to investigation of such case, charge sheet was filed informing commission of offence under Sections 452, 324, 506(ii) of I.P.C in S.C.No.185 of 2013 on the file of the learned Chief Judicial Magistrate, Madurai. The accused persons/respondents 2 and 3 have filed discharge petition in Cr.M.P.No.455 of 2013, which came to be dismissed under order, dated 09.07.2014. Aggrieved by the same, the respondents 2 and 3/accused, have moved revision petition in Cr.R.P.No.83 of 2014 before the Principal District and Sessions Judge, Madurai, Madurai District. Therein, the petitioner has sought to intervene by way of an application. The same

https://hosevices.reports.gov.in/cservices/1

Original Petition.



2. Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3. As the petitioner/defacto complainant is the victim of the offence and he is a person interested in the outcome of the proceedings in the case, this Court following the purpose behind Section 399 r/w 401 (2) as also the provisions made for appeal by the victim by way of proviso to Section 372 Cr.P.C, would direct the learned Principal District and Sessions Judge, Madurai, Madurai District, to entertain the petition and hear the matter on merits and pass appropriate orders in accordance with law.

With the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Principal District and Sessions Judge,
Madurai, Madurai District

2.The Inspector of Police,
Law and Order,
Thideer Nagar Police Station,
Madurai City.

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

+1cc to Mr.R.Anand,Advocate, SR.No.3583

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23.01.2015

pm

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