

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2016

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

Crl.R.C.No.1300 of 2015

&

M.P.No.1 of 2015

C.Devi

... Petitioner

Vs.

State Represented by

1. The Sub-Inspector of Police
E-5, Koovathur Police Station
Kancheepuram District

2. Mr.M.Arivunidhi

... Respondents

Criminal Revision filed under section 397 and 401 Cr.P.C. to call for the records in C.C.No.102 of 2014 and set aside the order passed by the learned District Munsif-cum-Judicial Magistrate acted as the Presiding Officer of the Lok Adalat/Peoples Court, Tirukalukundram dated 12.04.2014 in C.C.No.102 of 2014.

For Petitioner : Mr.S.S.Kumar

For Respondent : Mr.C.Iyyapparaj
Government Advocate [Crl.side]
for R1

No appearance for R2

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O R D E R

This revision challenges the order passed by the learned District Munsif-cum-Judicial Magistrate, Tirukalukundram in C.C.No.102 of 2014 dated 12.04.2014.

2. Heard learned counsel for petitioner and learned Government Advocate (Crl.side) for first respondent. Though the second respondent stands served, there is no appearance.

3. A perusal of the order under challenge reveals that in proceedings before the Lok Adalat, a non-compoundable offence viz., Section 4 of the Dowry Prohibition Act stands compounded. Proviso to Section 19(5) of the Legal Services Authorities Act, 1987 contains a direct bar against the procedure adopted by the District Munsif-cum-Judicial Magistrate, Tirukalukundram.

4. In the aforesaid circumstances, this revision shall stand allowed and the matter is remitted back to the learned District Munsif-cum-Judicial Magistrate, Tirukalukundram, who shall issue fresh summons to the accused and proceed further in accordance with law. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gpa

To

1. The District Munsif-cum-Judicial Magistrate
Tirukalukundram
2. The Sub-Inspector of Police
E-5, Koovathur Police Station
Kancheepuram District
3. The Public Prosecutor,
High Court, Madras.

+1cc to Mr.S.S.Kumar, Advocate, S.R.No.4030

Cr1.R.C.No.1300 of 2015
&
M.P.No.1 of 2015

PPA (CO)
CA(16/02/2016)

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