

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.09.2017

CORAM

THE HON'BLE MR. JUSTICE **R.SURESH KUMAR**

Crl.R.C.No.537 of 2017 and
Crl.M.P.No.4770 of 2017

V.P.Venkatachalam

... Petitioner

Vs.

C.S.Palanisamy

... Respondent

Prayer:- Criminal Revision Petition has been filed under Section 397 read with 401 Cr.P.C., to call for the records in C.M.P.NO.1260 of 2016 in S.T.C.No.224 of 2015 on the file of the Judicial Magistrate (Fast Track Court-I), Erode and set aside the same.

For Petitioner : Mr.S.Viswanathan

For Respondent : Mr.C.E.Pratap

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ORDER

This criminal revision case has been filed against the order dated 20.06.2016 passed by the learned Judicial Magistrate, Fast Track

Court-I, Erode in C.M.P.No.1260 of 2016 in S.T.C.No.224 of 2015.

2. By the said order, which is impugned herein, the learned trial Judge dismissed the petition filed under Section 45 of the Indian Evidence Act.

3. However, today, the learned counsel for the petitioner as well as the learned counsel for the respondent made a joint submission and request that since the respondent/complainant himself died on 29.06.2017 and no legal heirs of the complainant had come forward to pursue the matter on behalf of the deceased/complainant, the learned trial Judge had dismissed the very complaint on 09.08.2017. In view of the said development, as the main complaint itself having been dismissed, on the ground that the complainant is no more, nothing survives in this revision case.

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4. Recording the said submissions made by the learned counsel appearing for the petitioner as well as the respondent, this revision case is dismissed as no further orders is required in this case. Consequently, connected miscellaneous petition is also closed.

11.09.2017

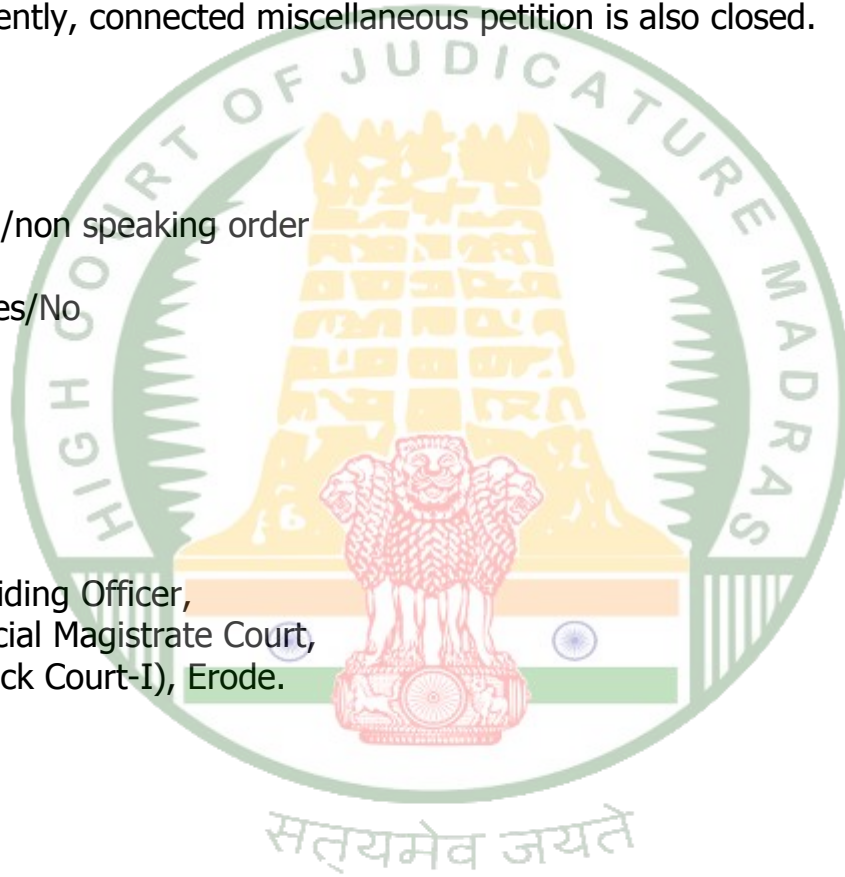
Speaking/non speaking order

Index :Yes/No

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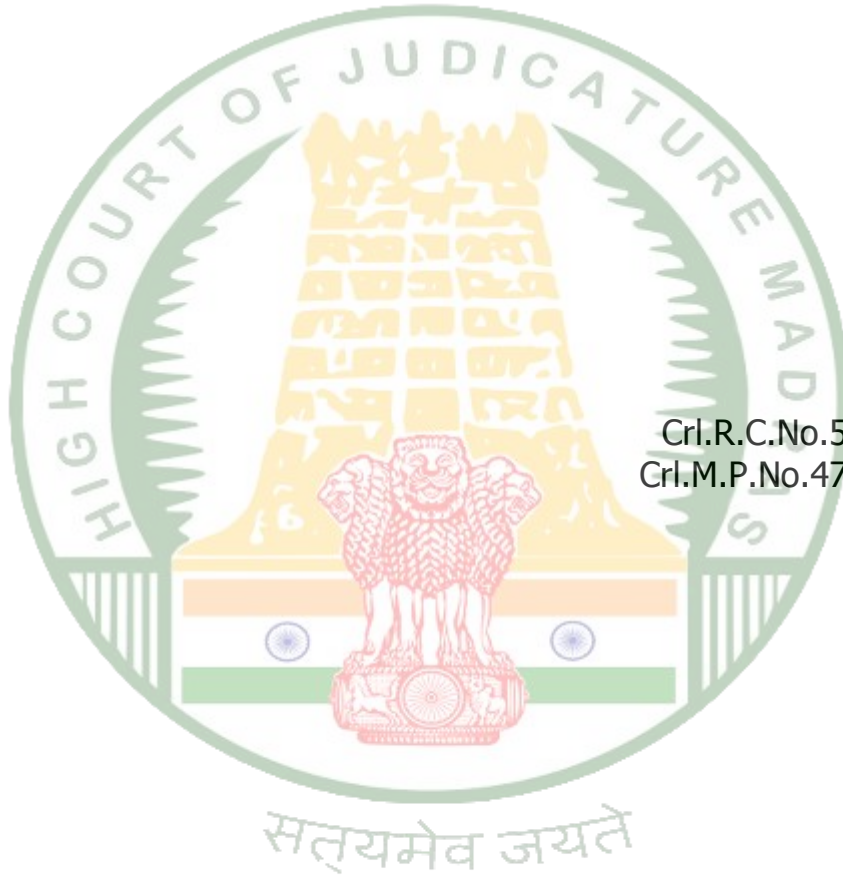
The Presiding Officer,
The Judicial Magistrate Court,
(Fast Track Court-I), Erode.



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R.SURESH KUMAR, J.

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