

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.01.2017

CORAM:

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

Crl.R.C.No.1188 of 2016

Rahima Begam
W/o.Fazil Hussain

.. Petitioner

vs.

Mrs.Mabel Leyanstic

.. Respondent

Criminal Revision filed under Section 397 and 401 Cr.P.C. to call for the records and to set aside the dismissal order dated 26.07.2016 passed by the learned XXIII Metropolitan Magistrate, Saidapet. in M.P.No.3776 of 2016 in C.C.No.---- of 2016 and consequently direct for a fresh trial.

For Petitioner : Mr.G.V.Sridharan

For Respondent : Mr.D.Saraswathi

O R D E R

Challenging the dismissal order dated 26.07.2016 passed in M.P.No.3776 of 2016 in C.C.No.-- of 2016 by learned XXIII Metropolitan Magistrate, Saidapet, present revision has been filed.

2.Heard learned counsel for petitioner and learned counsel for respondent.

3.Learned counsel for petitioner submits that complainant was unable to be present before Court below due to observance of advocates' boycott during the relevant period.

4.Considering the said submission, this Court is inclined to set aside the order under challenge. Accordingly, Criminal Revision case stands allowed. The order of learned XXIII Metropolitan Magistrate, Saidapet passed in M.P.No.3776 of 2016 in C.C.No.---- of 2016 dated 26.07.2016, shall stand set aside.

The complaint dated 15.03.2016 filed by petitioner in C.C.No.---- of 2016 is restored on file. Learned XXIII Metropolitan Magistrate, Saidapet is directed to proceed further in accordance with law.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

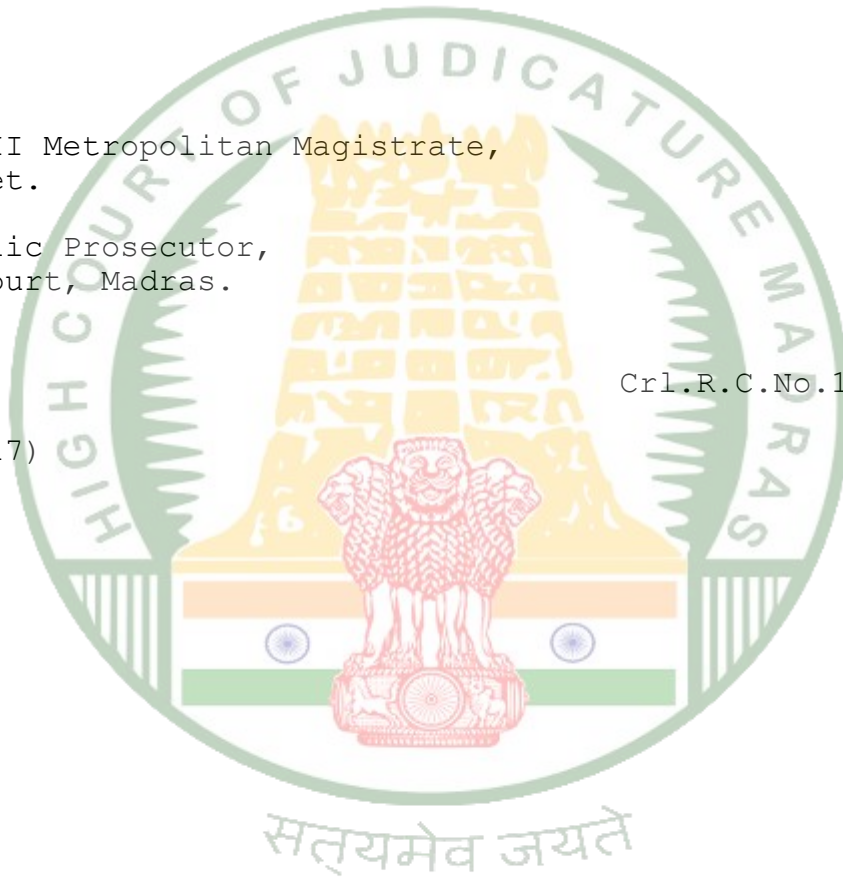
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To

- 1.The XXIII Metropolitan Magistrate,
Saidapet.
- 2.The Public Prosecutor,
High Court, Madras.

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