

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.09.2017

CORAM

THE HONOURABLE MR. JUSTICE C.T.SELVAM

Crl.R.C.No.780 of 2013

T.M.Kamalahasan
S/o.Muthusamy

... Petitioner

vs

1.State of Tamil Nadu
represented by
Sub-Inspector of Police,
Perundurai Police Station.
Crime No.20/12

2.Sundaram @ Sundararajan
S/o.Palanisamy

... Respondents

Criminal Revision filed under section 397 r/w 401 of the Code of Criminal Procedure against judgment of learned I Additional District and Sessions Judge, Erode, passed in S.C.No.153 of 2012 on 18.12.2012.

For Petitioner : Mr.V.S.Kesavan

For Respondents : Mr.V.Arul
Additional Public Prosecutor[R1]
Mr.N.Manokaran [R2]

ORDER

This revision arises against judgment of learned I Additional District and Sessions Judge, Erode, passed in S.C.No.153 of 2012 on 18.12.2012.

2. Heard learned counsel for petitioner, learned Additional Public Prosecutor and learned counsel for second respondent.

3. Revision petitioner is the de facto complainant in Crime No.20 of 2012 on the file of first respondent. In the light of proviso to Section 372 Cr.P.C., which is in force from 31.12.2009, petitioner's remedy would be by way of an appeal. The Criminal Revision Case is dismissed as not maintainable. It is now for petitioner to seek condonation of delay as also leave of this court u/s.378(3) Cr.P.C. in keeping with the judgment of Apex Court in **Satya Pal Singh v. State of Madhya Pradesh and others [2015 (15) SCC 613]**.

Registry is directed to return the original papers to learned counsel for petitioner.

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05.09.2017

Note to office: Issue order copy by 08.09.2017

Index:yes/no

Internet:yes/no

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To

- 1.The I Additional District and Sessions Judge,
Erode.
- 2.The Sub-Inspector of Police,
Perundurai Police Station.
- 3.The Public Prosecutor,
High Court, Madras.



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C.T.SELVAM, J

gm



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