



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.12.2017

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE A.M.BASHEER AHAMED

Crl.O.P.(MD)No.16533 of 2017

Ravindran

...Petitioner/Petitioner/Sole Accused

Vs.

State rep by its
The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Virudhunagar.

In Crime No.8 of 2017

...Respondent/Respondent/Complainant/

PRAYER: The Petition filed under Section 482 of the Cr.P.C. to issue a direction and to set aside the order of the learned Judicial Fast Track Magistrate (Chief Judicial Magistrate), Virudhunagar, at Srivilliputhur in Crl.M.P.No.2234 of 2017, dated 20.11.2017.

For Petitioner : Mr.M.Jegadeesh Pandian

For Respondent : Mr.C.Mayil Vahana Rajendren, APP

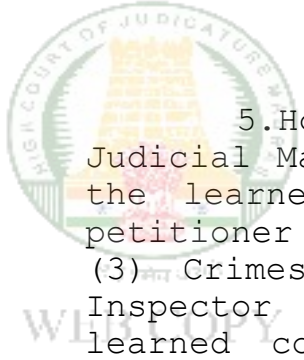
ORDER

This Criminal Original petition has been filed to to set aside the order dated 20.11.2017 in Crl.M.P.No.2234 of 2017 passed by the learned Judicial Fast Track Magistrate Chief Judicial Magistrate(FAC), Virudhunagar District, at Srivilliputhur.

2.The learned counsel for the petitioner is present. Mr.C.Mayilvahana Rajendren, Additional Public Prosecutor takes notice for the respondent herein. Heard in the admission stage itself.

3.The learned Additional Public Prosecutor appearing for the respondent submitted that the regular Chief Judicial Magistrate concerned has been posted now from 29.11.2017 onwards.

4.The learned counsel for the petitioner submitted that the bail petition was dismissed by the Judicial Fast Track Magistrate, Srivilliputhur as full additional charge of the Chief Judicial Magistrate, Srivilliputhur, stating that he was not empowered to entertain the said petition since he is holding Full Additional Charge of Chief Judicial Magistrate. Hence, the petitioner preferred the present Criminal Original petition against the order of dismissal



5. However, the petitioner admitted that the regular Chief Judicial Magistrate has been posted now in that Court as stated by the learned Additional Public Prosecutor. The counsel for the petitioner relies the decision of Madras High Court reported in 2010 (3) Crim. 316 (Mad)-(Kumaresan and others Vs State rep. by the Inspector of Police in support of his contention. However, the learned counsel for the petitioner agrees to file fresh bail petition before the Chief Judicial Magistrate posted now.

6. Considering the facts and circumstances of the case, this Court is inclined to dismiss the present Criminal Revision case by directing the petitioner to file a fresh bail petition before the concerned Chief Judicial Magistrate and the concerned Court is also directed to dispose of the case on merits in accordance with law.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To

1. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Virudhunagar.
In Crime No.8 of 2017

2. The Judicial Fast Track Magistrate (Chief Judicial Magistrate),
Virudhunagar,
at Srivilliputhur

+1CC to Mr.M.Jagadeesh Pandian, Advocate, SR.No. 90839

Cr1.O.P. (MD) No.16533 of 2017

04.12.2017

gns

AM/SV MMS/SAR 3/05.12.2017/2P/4C