



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 05.07.2017
C O R A M

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

WEB COPY

Criminal Revision Case (MD) No.511 of 2017
and
Crl.M.P (MD) No.5714 of 2017

Sheeba

... Petitioner / Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by Sub Inspector of Police,
All Women Police Station, Nagercoil,
Kanyakumari District.

2.C.N.Suyambulingam
3.Chellappan
4.T.Nagammal
5.C.Sutha
6.C.Latha
7.Ashok Kumar

... Respondents / Respondents

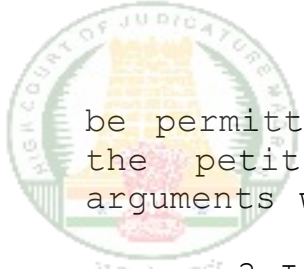
Petition filed under Section 397 read with 401 Cr.P.C., to call for the records pertaining to the C.M.P.No.2535 of 2017 in C.C.No.254 of 2012, on the file of the Judicial Magistrate Court II, Nagercoil and to allow the Criminal Revision Petition and set aside the order of the learned Judicial Magistrate dated 30.05.2017.

For Petitioner	: Mr.M.R.Sreenivasan
For 1 st Respondent	: Mr.C.Mayilvahana Rajendran
	Additional Public Prosecutor.

ORDER

The petitioner is the defacto complainant in C.C.No.254 of 2012 on the file of the Judicial Magistrate No.II, Nagercoil. Pending trial, the petitioner filed a petition in C.M.P.No.2535 of 2017 under Section 302 of the Code of Criminal Procedure, 1973 to assist the prosecution in the said case. The Court below dismissed the said petition. Challenging the same, the present Criminal Revision Case has been filed.

2.Considering the fact that the petitioner being the complainant is entitled to assist the prosecution under Section 302 of the Code of Criminal Procedure, 1973 and he may not



be permitted to conduct any trial. However, there is no bar for the petitioner to assist the prosecution and file written arguments with the help of a counsel.

3. In view of the above, the order passed by the Court below which is impugned in the present Criminal Revision Case is set aside and the petitioner is permitted to assist the prosecution and also file written arguments with the help of a counsel after completion of trial. Consequently, CrI.M.P(MD)No.5714 of 2017 is closed.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To
The Judicial Magistrate, Court II, Nagercoil.

+1 CC to M/s.M.R.SREENIVASAN, Advocate, SR No. 63519.

SMS
PSM/MR-KKR/SAR4/11.07.2017/2P/3C

Order made in
Criminal Revision Case (MD) No.511 of 2017
and
CrI.M.P(MD)No.5714 of 2017
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