

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2018

CORAM

THE HON`BLE MR.JUSTICE N.SATHISH KUMAR

Crl.R.C.No.1188 of 2011

C.Rengasamy,
S/o.Chinnasubba Naicker,
Secretary,
Thanjavur Sarvodaya Sangam,
Head office :
8-9, Kambatta Viswanathar Koil East Street,
Kumbakonam Taluk,
Thanjavur District.

... Petitioner

Vs

1. Nedumaran
2. Sate rep. by
The Inspector of Police,
District Crime Branch,
Nagapattinam District.
(Crime No.18 of 1998)

... Respondents

Criminal Revision Case filed under Section 397 read with 401 Cr.P.C. to set aside the order made in C.C.No.151 of 1999 on the file of the Judicial Magistrate No.I, Nagapattinam, dated 11.01.2011 and thus allow the criminal revision.

For Petitioner : ***Mr.D.Veerasekaran**

For Respondents: ***Mr.S.Kasirajan for R1**

Mr.R.Ravichandran,

Government Advocate - R2

O R D E R

This revision has been filed as against the judgment of the learned trial Court acquitting the accused in C.C.No.151 of 1999.

2. After the amendment of the Section 372 of Code of Criminal Procedure, which came into effect on 31.12.2009, the victim has a right of appeal as against the order of acquittal only before the Principal District and Sessions Court and hence, this revision is liable to be dismissed as not maintainable.

3. Accordingly, this Revision Case is dismissed as not maintainable.

***However, the revision petitioner is at liberty to file an appeal before the appropriate forum within one month from 15.03.2018. On such appeal being filed, the concerned court take into consideration of the period of delay already spent in the revision.**

vrc

Sd/-

Assistant Registrar(CS VI)

dt.1.3.2018

*amended as per order dt.15.3.2018

and made in Crl.Rc.No.1188/2011

Sd/-

Assistant Registrar

dt.16.3.2018

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate No.I,
Nagapattinam.
2. -do-Thro The Chief Judicial Magistrate,
Nagapattinam
3. The Inspector of Police,
District Crime Branch,
Nagapattinam District.
4. The Public Prosecutor,
High Court, Madras.

To be substituted
for the order already
despatched on 14.3.18

+1cc to Mr.Kasirajan, Advocate Sr.no.19746

+1cc to Mr.D.Veerasekaran, Advocate Sr.No.19597

MG(CO)

sm:2.3.2018

sm:19.3.2018

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