

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.47 of 2011

R. Natarajan

... Petitioner

Vs

C. Vijayan

... Respondent

Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C.to set aside the Judgment dated 30.11.2010 in C.C.No.297 of 2010 on the file of the Judicial Magistrate No.1, Udumalpet and to allow the above Criminal Revision.

For Petitioner : No appearance

For Respondent : No appearance

O R D E R

The revision is preferred against the judgment passed by the learned Judicial Magistrate No.1, Udumalpet in C.C.No.297 of 2010, dismissing the complaint for non-prosecution.

2. There is no representation for the revision petitioner and the respondent. The revision petition is filed against the dismissal of the private complaint filed by the revision petitioner. Despite the complaint was present on 12.08.2010 before the trial Court, the complainant did not evince any interest to appear before the trial court and not paid process to issue summons. Accordingly, on 30.11.2010 the complaint was dismissed. Hence, the present revision petition.

3. The revision petition is pending from the year 2011. It appears from the records even when the matter was referred to Lok Adalat in the year 2011, neither the revision petitioner nor the respondent appeared before the retired Justice Thiru.P. Thangavel, for more than three hearings. Hence, the matter was referred to the regular court. Again when the matter was referred to Lok Adalat in the year 2015, from 2015 to 2016,

despite notices were sent by the Lok Adalat, neither the revision petitioner/ complainant nor the respondent/accused appeared before the Lok Adalat for more than 10 hearings. Thereafter, the matter was again referred to this Court on 27.06.2016. Despite this court publishing the list of criminal revision cases by stating that the listed cases are to be heard whenever the Division Bench is not sitting, the revision petitioner is not present all these days. Even today, there is no representation. Above facts clearly indicate that there is no inclination to prosecute the revision case.

4. Having regard to the conduct of the revision petitioner from the year 2010, this court is of the view that the revision petitioner has no inclination to prosecute the revision case. Hence, the revision case is dismissed for non prosecution.

Sd/-
Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

ggs

To

1.The Judicial Magistrate No.I
Udumalpet,
Coimbatore District.

Cr1.R.C.No.47 of 2011

RMP(15/03/2018)