

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.01.2018

Coram

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

CRL.R.C.Nos.626 & 627 of 2011

Nagina @ Swathi

... Petitioner/Defacto Complainant
(in both Crl.R.C.)

Vs.

1.Rajeshkumar

2.Parasmal Bagmar

3.Santha Kavar

... Respondents 1 to 3/Accused No.1 to 3
in Crl.R.C.No.626/11

4.Lalitha Soriliya

... Respondents 1 to 4/Accused No.1 to 4
in Crl.R.C.No.627/11

5.State by Inspector of Police

W-1, All Women's Police Station

Thousand Lights

Chennai 600 006

(Crime No.20/2001)

...5th Respondent/ Complainant in
Crl.Rc.No.627/11

.. 4th Respondent/Complainant in
Crl.Rc.No.626/11

Prayer in Crl.R.C.No.626 of 2011: This Criminal Revision Petition has been filed under Section 397 r/w 401 of Criminal Procedure Code in Crime No.20/2001 against the Judgment made in C.C.No.14285/2003 dated 08.03.2011 on the file of Chief Metropolitan Magistrate, Egmore, Chennai acquitting the respondents 1 to 3 in respect of offence under Section 498A and 406 of I.P.C. And the 4th respondent in respect of offences under Section 498A, Section 4 of the Dowry Prohibition Act.

Prayer in Crl.R.C.No.627 of 2011: This Criminal Revision Petition has been filed under Section 397 r/w 401 of Criminal Procedure Code against the enhancement of sentence by the petitioner / defacto complainant against the sentence passed in C.C.No.14285/2003 dated 08.03.2011 on the file of Chief Metropolitan Magistrate, Egmore, Chennai.

For Petitioner :Mr.P.Kumaresan (in both petitions)

For Respondents:Mr.R.Ravichandran

Government Advocate for R4

in CrI.Rc.No.627/2011 & R5 in

CrI.Rc.No.626/2011

Mr.K.S.Rajagopalan for R1 to R3 - N.A.

In CrI.R.C.No.627/2011

& R1 to R4 in CrI.R.C.No.626/2011 NA

COMMON ORDER

These Revision Petitions have been filed as against the order of the acquittal passed by the Trial Court.

2.On a perusal of these Revision Petitions, it is clear that the appeals ought to have been filed by the Revision Petitioner as against the acquittal. In view of the amendment made under Section 372 of Criminal Procedure Code, in Act 5 of 2009, these revisions are not maintainable.

3.When the query was posed to the learned counsel for the Revision Petitioner, he prays that he would be given liberty to withdraw these Revision Petitions and to file appeals before the Appellate Court and also direction may be given to the Appellate Authority to consider the delay in view of the pendency of these Revisions Petitions.

4.Admittedly, these Revision petitions have been filed in the year 2011, hence, the period of pendency of these Revision Petitions before this Court shall be considered by the Appellate Court and dispose of these appeals, if filed by the petitioner as expeditiously as possible.

5.In view of the above, the learned counsel for the Revision Petitioner is hereby permitted to withdraw these Revision Petitions, for which he has also made an endorsement and liberty is also granted to the Revision Petitioner to file fresh appeals as per law.

6.Accordingly, these Revision Petitions stand dismissed as withdrawn.

Sd/-

Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

1.The chief Metropolitan Magistrate,
Egmore, Chennai.

2.The Inspector of Police
W-1, All Women's Police Station
Thousand Lights
Chennai 600 006
(Crime No.20/2001)

3.The Additional Public prosecutor,
High Court, Madras.

+2cc to Mr.P.Kumaresan, Advocate sr.no.5660,5661

CRL.R.C.Nos.626 & 627 of 2011

tm(co)
nr 14/02/2018



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