

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 30.08.2018

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl. RC. No.411 of 2015 &
M.P.No.1 of 2015

1. A.Sahabudeen
2. A.Abdul Gaffoor

... Petitioners 1 & 2 Accused

3.

. Vs .

1. The State represented by
The Inspector of Police,
B-12, Ukkadam (L&O) Police Station,
Coimbatore.
(Crime No.1362/2013)

2. Yeshwantha Rao
(Impleaded 2nd respondent as per the order of this Court,
dated 25.09.2015 made in M.P.No.2/2015 in
Crl.R.C.No.411/2015)

... Respondents

PRAYER: Criminal Revision filed under Section 397 read with
401 of Code of Criminal Procedure to call for the records
pertaining to Crl.M.P.No.4471/2014 in C.C.No.70/2014 from the
file of Learned Judicial Magistrate No.V, Coimbatore and to set
aside the same.

For Petitioners :No appearance

For Respondents :Mr.R.Ravichandran

Government Advocate (Crl. Side)

For R1

JUDGMENT

This criminal revision has been filed to call for the
records pertaining to Crl.M.P.No.4471/2014 in C.C.No.70/2014 on
the file of the learned Judicial Magistrate No.V, Coimbatore,
and to set aside the same.

2. The second respondent is the defacto complainant. He gave a complaint before the Ukkadam Police Station against the petitioners herein. After conducting enquiry, the Inspector of Police, Ukkadam Police station, filed a final report against the petitioners under Sections 448, 452, 506(ii), of the IPC and 75 (1) (c) of TNCP ACT and forwarded the same to the learned Judicial Magistrate No.V, at Coimbatore, which was taken on file in C.C.No.70 of 2014.

3. The revision petitioners filed a petition in Crl.M.P.No.4471 of 2014, before the learned Judicial Magistrate No.V, under Section 239 of the Criminal Procedure Code. After hearing both sides, the learned Magistrate, dismissed the petition on 24.03.2015, on the ground that there are enough materials to frame charges against the petitioners under Sections 448, 452, 506(ii) of IPC and Section 75(1)(c) of the TNCP Act.

4. Aggrieved against the impugned order in Crl.MP.No.4471 of 2014 in C.C.No.70 of 2014 dated 24.03.2015, the revision petitioners preferred the present Criminal Revision before this Court.

5. When the matter came up for hearing on 27.08.2018, there was no representation on the petitioners. Therefore, this Court directed the Government Advocate (Crl. side) to verify as to whether the main case is pending before the trial Court.

6. The learned Government Advocate (Crl. side) submitted that after dismissal of Crl.M.P.No.4471 of 2014, the main case in C.C.No.70 of 2014 itself was disposed of. Therefore, nothing survives in this revision.

7. In view of the above, nothing survives in this Criminal Revision Petition. Hence, the Criminal Revision is dismissed. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate No.V,
Coimbatore.

2.Do-'Through' The Chief Judicial Magistrate,
Coimbatore.

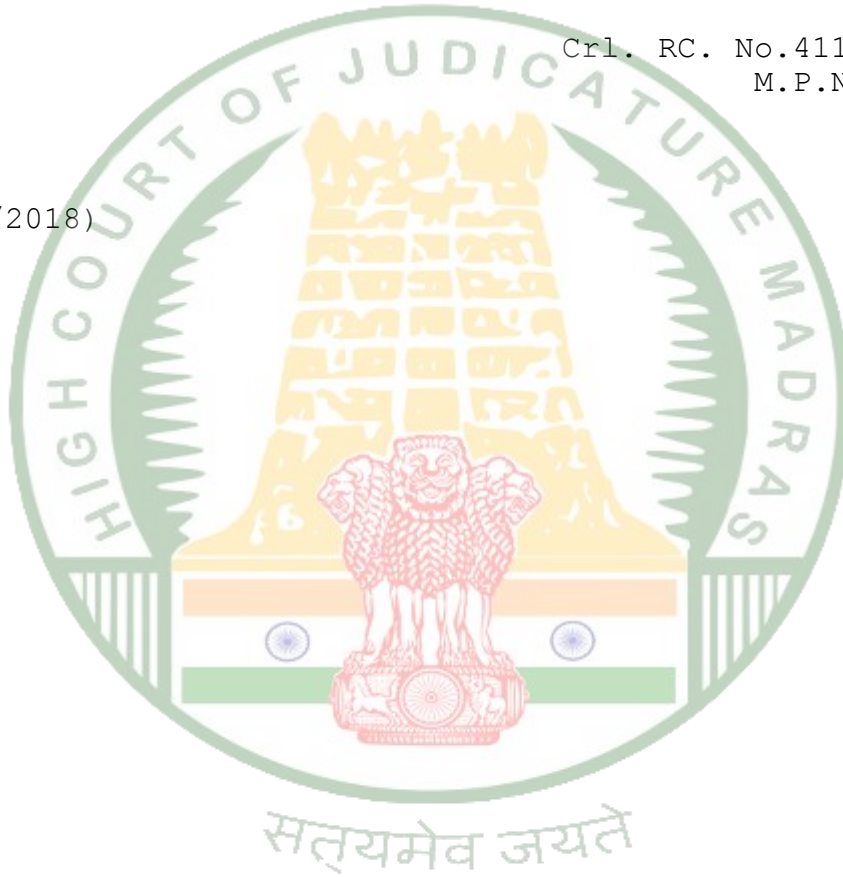
3. The Inspector of Police,
B-12, Ukkadam (L&O) Police Station,
Coimbatore.

4. The Public Prosecutor,
High Court of Madras.

5. The Section officer,
Criminal Section, High Court,
Madras.

Crl. RC. No.411 of 2015 &
M.P.No.1 of 2015

KK(CO)
GSP(25/09/2018)



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