

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No.2786 of 2018

S.Vasanthakumari

... Petitioner

Vs.

S.Saravanan

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to direct the learned Judicial Magistrate, Ambattur to restore the complaint dismissed on 08.01.2018 in C.C.No.344 of 2014.

For Petitioner : Mr.A.Jotheeswaran

For Respondent : No appearance

ORDER

This petition has been filed by the petitioner to direct the learned Judicial Magistrate, Ambattur to restore the complaint dismissed on 08.01.2018 in C.C.No.344 of 2014.

2. On a perusal of the order dated 08.01.2018, passed by the learned Judicial Magistrate, Ambattur in C.C.No.344 of 2014, I do not find any infirmity in the said order. As a matter of fact, the learned Magistrate had ventured to observe that the complainant was absent even after strict instruction to proceed with the case by commencing evidence.

3. However, today when the matter was listed, the learned counsel for the petitioner submitted that by inadvertence they could not proceed with the complaint on the date, when the order came to be passed. The learned counsel further submits that he undertakes to co-operate with the proceedings and ensure that the evidence is commenced.

4. In view of the submissions made by the learned counsel, this court is of the view that a sympathetic approach can be taken. Hence, the order dated 08.01.2018 passed in C.C.No.344 of 2014 on the file of the learned Judicial Magistrate, Ambattur is set aside. Consequently, learned Judicial Magistrate, Ambattur is directed to

take complaint on file and proceed with the same in accordance with law.

5. With the above observation, the Criminal Original Petition stands allowed.

Sd/-
ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

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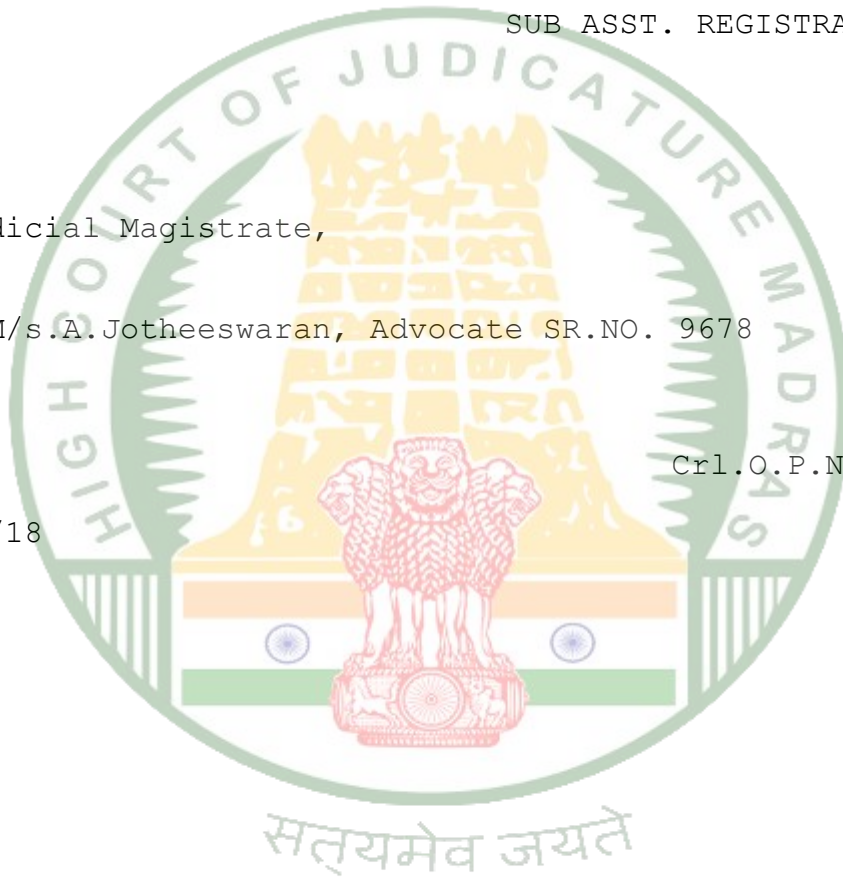
To

1.The Judicial Magistrate,
Ambattur.

+1 cc to M/s.A.Jotheeswaran, Advocate SR.NO. 9678

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RRI 27/02/18



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