



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.09.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.R.C(MD)No.15 of 2018

and

Crl.M.P.(MD) Nos.193, 3889 and 3890 of 2018

1.John Peter

2.Selvi

: Petitioners/Appellants/
Accused Nos.1 and 2

Vs.

V.Parthasarathi

: Respondent/Respondent/
Complainant

PRAYER: Revision filed under Section 397 read with Section 401 of the Code of Criminal Procedure, to call for records to the judgment dated 19.06.2017 in C.A.No.44 of 2016 passed by the learned Fast Track Mahila Court, Dindigul, which confirmed the judgment of conviction and the sentence passed by the Judicial Magistrate Court No.2, Dindigul in C.C.No.161 of 2015 dated 19.09.2016 and set aside the same.

For Petitioners : Mr.B.Rajesh Saravanan

For Respondent : Mr.G.Karuppasamy Pandian

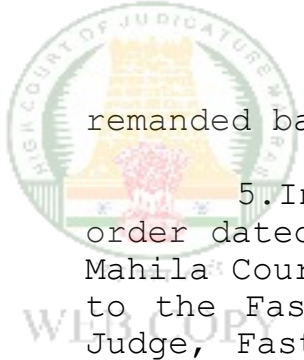
ORDER

This Criminal Revision case is filed against the judgment dated 19.06.2017 in C.A.No.44 of 2016 passed by the learned Sessions Judge, Fast Track Mahila Court, Dindigul confirming the judgment passed by the Judicial Magistrate Court No.2, Dindigul in C.C.No.161 of 2015 dated 19.09.2016.

2.Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondent.

3.For the non appearance of the petitioners the appellate Court has dismissed the appeal. Aggrieved by that the present criminal revision case has been filed.

4.In case of an appeal against the conviction, the appellate Court should have gone on merits and dispose of the appeal, instead of dismissing it for default. Therefore, the order passed by the appellate Court is liable to be set aside and the matter is to be



remanded back to the appellate Court.

5. In the result, the criminal revision case is allowed. The order dated 19.06.2017 in C.A.No.44 of 2016 passed by the Fast Track Mahila Court, Dindigul, is set aside and the matter is remanded back to the Fast Track Mahila Court, Dindigul and the learned Sessions Judge, Fast Track Mahila Court, Dindigul is directed to dispose of the appeal on merits. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-II)

cp

To

1. The Sessions Judge,
Fast Track Mahila Court,
Dindigul.
2. The Judicial Magistrate Court No.2,
Dindigul.
3. The Record Keeper, (2 copies)
V.R. Section,
Madurai Bench of Madras High Court,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1cc to Mr.B.Rajesh Saravanan, Advocate in SR No.82259

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NM/RSK/SAR 2/10.10.18/2P/7C