

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2019

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.No.81 of 2019
and
Crl.M.P.No.804 of 2019

1.S.K.Palani

2.Geetha Palani .. Petitioners

Vs

1.The Sub Divisional Magistrate,
Mrs.Rathna, Sub Collector,
Thiruvallur District.

2.S.K.Babu @ Chandra Babu

3.Mariammal .. Respondents

PRAYER: Criminal Revision filed under Section 397 and 401 of Criminal Procedure Code, to call for the records of the case in Na.Ka.316/2016/A1 on the file of the learned Sub Divisional Magistrate (Sub Collector) Thiruvallur and set aside the order dated 08.12.2018 passed therein.

For Petitioners : Mr.G.A.Thiyagarajan
For Respondents : Mr.R.Suryaprakash, for R1
Government Advocate (Crl.side)

O R D E R

This revision has been filed against the order dated 08.12.2018 passed by the learned Sub Divisional Magistrate (Sub Collector) Thiruvallur in Na.Ka.316/2016/A1.

2.The 1st respondent passed the impugned order under Section 145 of Cr.P.C., which is perverse and beyond the scope of Section 145 of Cr.P.C. Hence, the impugned order passed by the 1st respondent is liable to be set aside and the same is hereby set aside.

3.The matter is remitted back to the 1st respondent for afresh consideration and directed the 1st respondent to pass fresh order in accordance with law as contemplated under Section 145 of Cr.P.C.

4.With the above direction, the criminal revision is allowed. Consequently, connected miscellaneous petition is closed.

Sd/--
Assistant Registrar(CS)

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Sub Assistant Registrar

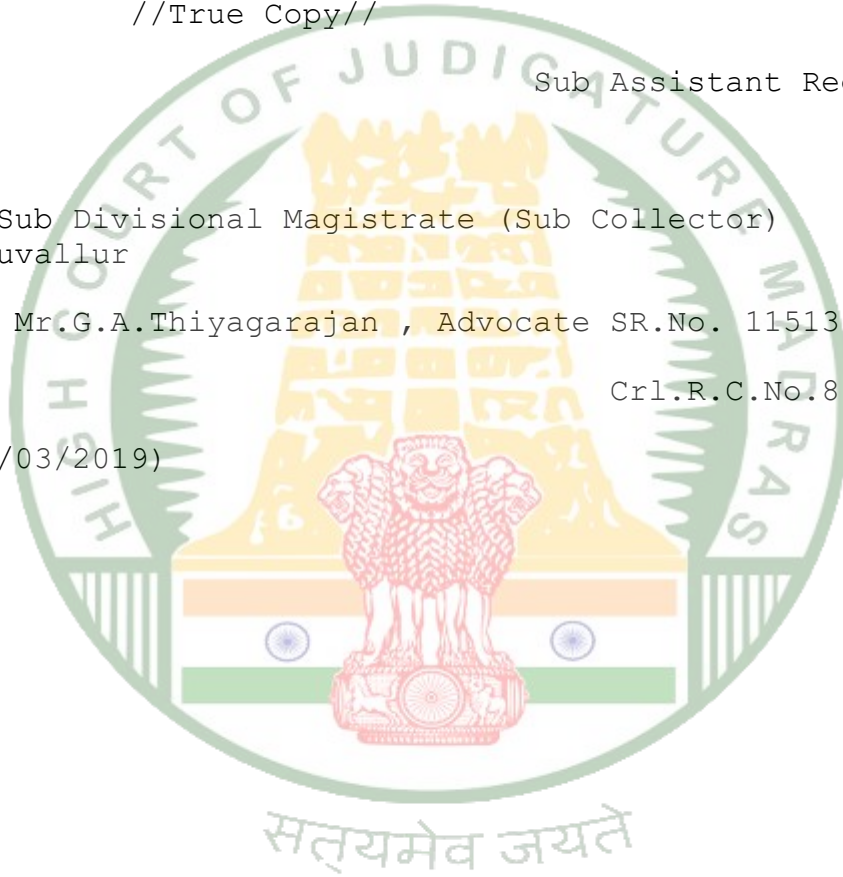
AT
To

1.The Sub Divisional Magistrate (Sub Collector)
Thiruvallur

+1cc to Mr.G.A.Thiyagarajan , Advocate SR.No. 11513

Cr1.R.C.No.81 of 2019

A.SK(13/03/2019)



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