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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.O.P.No.4427 of 2013

N.Sivachandran

... Petitioner

Vs.

1. P.Prasath
2. State rep. by
The Public Prosecution,
Nagapattinam District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to withdraw the Criminal Appeal against conviction in C.A.No.26 of 2012 filed by 1st respondent under Section 374 and 382 of Cr.P.C pending on the file of the Court of Sessions at Nagapattinam to hear the same along with the Crl.R.C.No.1236/2012 filed before this Court by the petitioner under Section 397 r/w 401 Cr.P.C. on the ground of inadequacy of the sentence imposed by the lower Court and pending before this Court.

For Petitioner : Ms.N.Alamelu Mangai

For Respondents : Mrs.T.P.Savitha for
Govt. Advocate (Crl.Side) for R2
Notice served - No Appearance - R1

ORDER

This criminal original petition has been filed seeking to withdraw the Criminal Appeal against conviction in C.A.No.26 of 2012 filed by 1st respondent under Section 374 and 382 of Cr.P.C pending on the file of the Court of Sessions at Nagapattinam to hear the same along with the Crl.R.C.No.1236/2012 filed before this Court by the petitioner under Section 397 r/w 401 Cr.P.C. on the ground of inadequacy of the sentence imposed by the lower Court and pending before this Court.

2 When the matter is taken up for hearing, the learned counsel appearing for the petitioner would submit that the case in C.A.No.26 of 2012 has already been transferred to the Additional District and Sessions Court, Mailaduthurai, and a direction was issued by this Court to the parties to avail their remedy before the Court below.



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3 In view of the above submissions, this criminal original petition is dismissed as infructuous.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District and Sessions Judge, Nagapattinam.
2. The Additional District and Sessions Judge, Mailaduthurai.
3. The Public Prosecutor, High Court of Madras.
4. The Public Prosecutor, Nagapattinam District.
5. The Judicial Magistrate of Fast Track Court, Mayiladuthurai.

Cr1.O.P.No.4427 of 2013

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srg 26/12/2019