

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:19.03.2019

Coram:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Criminal Revision Case No.415 of 2012

Kamalakannan

.. Petitioner

/versus/

1.State by
Sub Inspector of Police,
Nolambur Police Station,
Chennai.
(Cr.No.65/2010)

2.Kavitha

.. Respondents

Criminal Revision Case filed under Section 397 r/w 401 of Code of Criminal Procedure praying to call for the records in C.C.No.152/2010 on the file of the Judicial Magistrate, Ambatur and set aside the judgment dated 18.01.2012.

For Petitioner :No appearance

For Respondent :Mr.T.Shanmuga Rajeswaran,GA
for R1
No appearance for R2

O R D E R
सत्यमेव जयते

This revision is filed by the defacto complainant/PW-1 aggrieved by the order of acquittal passed by the learned Judicial Magistrate, Ambattur.

2. Calendar case in C.C.No.152 of 2010 has been tried against the respondent herein for the alleged offence under Section 324, 506(ii) of IPC. The trial Court has acquitted the respondent herein. Aggrieved by the order of acquittal, the injured victim/PW-1 has preferred the present revision. After amendment under proviso 372 of Cr.P.C., the victim has right of appeal before the Court, where the appeal will normally lie against the conviction. In this case, the appellate Forum is the Sessions Court within the Tiruvallur Division. Therefore,

the petitioner herein is entitled to move appeal before the Sessions Court at Tiruvallur District.

3. Hence, this case is transferred to the Principal District Court, Tiruvallur. The learned Principal District Judge, Tiruvallur shall take the matter on file and assign the matter to the appropriate Court for disposal on merits and in accordance with law. The parties may be put on notice about the next hearing date. The Registry is directed to send back the case records forthwith.

4. With the above directions, this Criminal Revision Case is disposed of.

Sd/-

Assistant Registrar (CS III)

//True Copy//

Sub Assistant Registrar

To

1. The Principal District Judge,
Tiruvallur.
2. The Judicial Magistrate,
Ambatur, Chennai.
3. The Sub Inspector of Police,
Nolambur Police Station,
Chennai.
4. The Public Prosecutor,
High Court, Madras.

Copy To:

The Section Officer,
Criminal Section, High Court,
Madras.

RR(CO)

RRS (03/05/2019)

Cr1.R.C.No.415 of 2012