

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2019

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN
Crl.R.C.No.1174 of 2012

G.Shanmugam

... Petitioner/Defacto Complainant

Vs.

State by

1.The Sub Inspector of Police,
Mangalam Police Station,
Mangalam, Tiruvannamalai Taluk.
(Crime No.75 of 2010) ... Respondent/Complainant

2. Perumal

3. Ranganathan

4. Arumugam

5. Kathiravan

6. Ravichandran

7. Settu

8. Rajendran ... Respondents 2 to 8/Accused

Criminal Revision filed under Sections 397(i) and 401 Cr.P.C., praying to call for the entire records in so far relates to C.C.No.217/2011 dated 14.06.2012 on the file of Judicial Magistrate Court, Fast Track Court, Tiruvannamalai and set aside the same.

For Petitioner : Mr.C.Prakasam

For respondents: Mr.T.Shanmuga Rajeswaran
Government Advocate (Crl. Side) for R1
M/s.V.Purushothaman for R2 to R8

O R D E R

This Criminal Revision Case has been filed to set aside the judgment dated 14.06.2012 made in C.C.No.217 of 2011 passed by the learned Judicial Magistrate, Fast Track Court, Tiruvannamalai.

2. Based on the complaint filed by the revision petitioner, the first respondent police registered a case in Crime No.75 of 2010 against the respondents 2 to 8 for the offence under Sections 147, 148, 323, 324 and 506(ii) IPC. After completing the investigation, the respondent filed a final report before the learned Judicial Magistrate, Fast Track Court, Tiruvannamalai. After trial, the learned Magistrate found that the prosecution has failed to prove its case beyond reasonable doubts and therefore, acquitted all the accused by judgment dated 14.06.2012. Challenging the said judgment, the defacto complainant has filed the present revision before this Court.

3. This revision has been filed in the year 2012 by the defacto complainant against the acquittal. As per the amendment dated 31.12.2009 in Criminal Procedure Code and the Full Bench judgment of this Court dated 05.04.2016 in the case of S.Ganapathy Vs. N.Senthilvel reported in 2016 (4) CTC 119, the appeal against the acquittal can be filed before the jurisdictional Sessions Court. Therefore, both the parties are directed to appear before the learned Principal District and Sessions Judge, Tiruvannamalai on 26.07.2019.

4. Since it is the revision filed in the year of 2012 and the matter is pending more than seven years, the learned Principal District and Sessions Judge, Tiruvannamalai, is directed to take the appeal on file on the same day, if otherwise in order, and dispose of the matter on or before 26.08.2019 and report the same before this Court.

5. With the above directions, this Criminal Revision Case shall stand disposed of.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate,
Fast Track Court, Tiruvannamalai.
2. The Principal District and Sessions Judge,
Tiruvannamalai.

3. The Sub Inspector of Police,
Mangalam Police Station,
Mangalam, Tiruvannamalai Taluk.

4. The Public Prosecutor,
High Court, Madras-104.

Copy to

The Section Officer,
Criminal Section(Records)
High Court of Madras.
(To send the entire records immediately within a week)

+lcc to Mr.C.Prakasam, Advocate Sr.59571
+lcc to Mr.V.Purushothaman, Advocate Sr.58928

Cr1.R.C.No.1174 of 2012

nr[co]
srg 24/07/2019



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