

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 27.06.2019

CORAM:
THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.1218 of 2012

Devagi

...Petitioner/Defacto
Complainant

Vs.

1. The Inspector of Police,
Pothanur All Women Police Station,
Coimbatore District.
(Crime No.3 of 2005)

....Respondent/Complainant

2. Dhinakaran

...Respondent/Accused

The Criminal Revision filed under Section 397 read with 401 of Code of Criminal Procedure, to call for the records and to set aside the judgment in C.C.No.839 of 2005 on the file of the learned Judicial Magistrate-VI, Coimbatore dated 20.06.2012.

For Petitioner : Mr.B.Vasudevan

For Respondents : Mr.T.Shanmugarajeswaran - R1
Govt. Advocate (Crl. Side)

Notice served - No appearance -R2

O R D E R

This Criminal Revision has been filed to set aside the judgment in C.C.No.839 of 2005 on the file of the learned Judicial Magistrate-VI, Coimbatore, dated 20.06.2012.

2. It is seen that as against the order in C.C.No.839 of 2005, passed by the learned District Judicial Magistrate-VI, Coimbatore, dated 20.06.2012, the petitioner/defacto complainant has approached this Court directly with this revision.

3. As per the amendment dated 31.12.2009 and the full Court judgment of this Court in the case of S.Ganapathy Vs. N.Senthilvel reported in 2016 (4) CTC 119, the order passed by the learned Judicial Magistrate-VI, Coimbatore will lie only before the Jurisdiction Sessions Court. By passing the Sessions Court, the petitioner has approached this Court by way of this

Criminal Revision. Therefore, this Criminal Revision is not maintainable and the same is returned.

4. Registry is directed to send the papers to the Jurisdiction Sessions Court and also return the original impugned order.

5. Both the respective parties are directed to appear before the jurisdiction Court on 19.07.2019 without fail. The learned Principal Sessions Judge is directed to take the appeal on file if otherwise in order and dispose of the same on merits on or before 29.08.2019 in accordance with law and report the same before this Court within the time stipulated.

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

Sd/-

Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

rli

To

1. The Judicial Magistrate-VI
Coimbatore.
2. The Inspector of Police,
Pothanur All Women Police Station,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.
4. The Principal Sessions Judge,
Coimbatore.
5. The Section Officer,
Criminal Section (Records),
High Court, Madras.

NM(CO)

RRS (28/06/2019)

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