

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2019

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Cr1.RC.No.1354 of 2012

S.Velkumar ... Petitioner/Defacto Complainant

vs

1.M.Sridhar

2.S.Vaithiyalingasamy'

3.D.Rameshkumar

.. Respondents 1 to 3/
/Accused 1 to 3

4.The State, rep by

The Inspector of Police,
Villupuram Town East Police Station,
Villupuram District.

(Crime No.962 of 2002)

..4th Respondent/ Complainant

Prayer:- Criminal Revision filed under Section 397 r/w 401 of Code of Criminal Procedure, against the Judgment dated 24.09.2012 passed by the learned Judicial Magistrate No.1, Villupuram in C.C.No.162 of 2004 by acquitting the respondents No.1 to 3 under Section 248(1) Cr.P.C., from the offences under Sections 408, 468, 477(A) r/w 34 IPC.

For Petitioner : Mr.S.A.Sasidharan

For R1 & R2 : Mr.Devaraj

For R3 : Mr.N.Mohideen Basha

For R4 : Mr.T.Shanmugarajeshwaran
Government Advocate
(Criminal Side)

ORDER

This Criminal Revision Case has been filed against the judgment dated 24.09.2012 made in C.C.No.162 of 2004 passed by the learned Judicial Magistrate No-1, Villupuram.

2 Heard the learned counsel for the revision petitioner and the learned counsel for the respondents No 1 to 3 and the learned Government Advocate (Criminal Side) appearing for the 4th respondent and perused the materials available on record.

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 judgment of acquittal can be filed before the Jurisdictional Sessions Court. Therefore, both the parties are directed to appear before the Jurisdictional Sessions Court (Principal District and Sessions Court, Villupuram), on 28.08.2019.

4 Since it is the revision filed in the year of 2012 and the same is pending more than seven years, the learned Principal District and Sessions Judge, Erode, is directed to take the appeal on file, if otherwise in order and dispose the same in accordance with law on or before 20.09.2019, and report the same before this Court.

5 With the above directions, the Criminal Revision Case is disposed of.
sbn

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal District and Sessions Court,
Villupuram.
- 2.The learned Judicial Magistrate No.1,
Villupuram,
3. The Inspector of Police,
Villupuram Town East Police Station,
Villupuram District.
- 4.The Public Prosecutor,
High Court, Madras.

+1cc to Mr.N.Mohideen Basha, Advocate, SR.No.71064

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Kak (21/08/2019)