

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.1393 of 2012

Kesavarajan

...Petitioner

Vs.

1. S.Kumaravel
2. Jayalakshmi
3. Parimalavalli
4. A.V.Subramaniam
5. A.V.Murthy
6. The State by Deputy Superintendent of Police,
Sathyamangalam Sub Division,
Thalavadi Police Station,
Erode District.
Crime No.111 of 2019

...Respondents

The Criminal Revision filed under Section 397 read with 401 of Code of Criminal Procedure, to set aside the order of acquittal dated 27.07.2011 made in S.C.No.21 of 2011 on the file of the learned Assistant Sessions Court/Sub Court, Sathyamangalam.

For Petitioner : Mr.Mr.S.A.Mohamed Mubarak

For Respondents: Mr.T.Shanmugarajeswaran - R6
Govt. Advocate (Crl. Side)

सत्यमेव जयते
Mr.S.Kamadevan - R1 to R5

O R D E R

This Criminal Revision has been filed to set aside the judgment of acquittal dated 27.07.2011 made in S.C.No.21 of 2011, on the file of the learned Assistant Sessions Court/Sub Court, Sathyamangalam.

2. Today, the learned counsel for the revision petitioner on record filed a memo to withdraw his vakalath and the said memo is recorded. Mr.S.A.Mohamed Mubarak undertakes to file vakalath on behalf of the revision petitioner.

3. It is seen that as against the judgment in S.C.No.21 of 2011 dated 27.07.2011, passed by the learned learned Assistant Sessions Court/Sub Court, Sathyamangalam, the petitioner/defacto complainant has approached this Court directly with this revision.

4. 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, against the judgment of the learned Assistant Sessions Court/Sub Court, Sathyamangalam in S.C.No.21 of 2011 dated 27.07.2011, only appeal lies before the Sessions Court.

5. Registry is directed to send the papers to the Jurisdictional Sessions Court and also send the copy of the original impugned Judgment immediately.

6. Both the parties are directed to appear before the learned Principal District Judge, Erode on 29.07.2019 without fail. Since the matter is pending from 2012 for more than seven years, the learned District Judge, Erode 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-VI)

//True Copy//

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Sub Assistant Registrar

To

1. The Assistant Sessions Court/Sub Court,
Sathyamangalam

2. The Deputy Superintendent of Police,
Sathyamangalam Sub Division,
Thalavadi Police Station,
Erode District.

3. The Public Prosecutor, High Court, Madras.

+1 cc to Mr.S.A.Mohamed Mubarak, Advocate, S.R.No.61820
Crl.R.C.No.1393 of 2012

SSV(CO)

SSM(19/07/2019)