

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 15.02.2019

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Criminal Revision Case No.378 of 2012

S.Elumalai

.. Petitioner

/versus/

1.M.Santhaseelan

2.T.Ravi

3.State Represented by

Sub Inspector of Police,
Tirupattur Town Police Station,
Tirupattur, Vellore District.
Crime No.13/2011

.. Respondents

Prayer:-

Criminal Revision Case has been filed under Section 397 and 401 of Cr.P.C., praying to set aside the order of acquittal passed on 09.01.2012 made in C.C.No.20 of 2011 on the file of the Judicial Magistrate No.II, Tirupattur, Vellore District by allowing the above criminal revision petition.

For Petitioner : Ms.S.Meenakumari

For Respondents : Mr.T.Shunmuga Rajeswaran,
APP for R3
M/s.M.Purushothaman
For R1 & R2

ORDER

This revision petition is directed against the order of acquittal passed by the Judicial Magistrate No.II, Tirupattur, Vellore District in C.C.No.20 of 2011.

2.The revision petitioner is the defacto complainant. The case was taken up for trial, based on the final report filed by the police attached to Tirupattur East Police Station Cr.No.13 of 2011. After amendment under proviso 372 of Cr.P.C., the victim aggrieved by the order of acquittal, is entitled to prefer appeal before the Court, which has jurisdiction to hear the appeal against the conviction. Therefore, the petitioner

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

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

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

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate No.II,
Tirupattur, Vellore District.

2.The Sub Inspector of Police,
Tirupattur Town Police Station,
Tirupattur, Vellore District.

3.The Public Prosecutor,
High Court, Madras.

Copy To

The Section Officer,
Criminal Section,
High Court, Madras-104

+1cc to Mr.D.Balachandran, Advocate, S.R.No.13793

SSV(CO)
CS/26/03/2019

Cr1.R.C.No.378 of 2012