

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 30.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN
Crl.R.C.881 of 2012

Elumalai

...Petitioner

Vs.

1. The Inspector of Police,
Gingee Police Station,
Gingee (Crime No.374/2009)

2. Kalidoss
3. Murugan

...Respondents

Prayer: This Criminal Revision is filed under Sections 397 and 401 of Code of Criminal Procedure to set aside the judgment of acquittal made in C.C.No.320 of 2010 dated 08.08.2011 by the learned Judicial Magistrate, Gingee.

For Petitioner : Mr.Kumana Raja - No Appearance

For Respondents : Mr.T.Shanmugarajeswaran
Govt. Advocate (Crl.Side) for R1
Mr.S.Ananthanarayanan for R2
Mr.S.M.Nandhie Devhan for R3
(Memo filed for withdrawing his appearance)

ORDER

The criminal revision has been filed against the judgment of acquittal dated 08.08.2011 made in C.C.No.320 of 2010 by the learned Judicial Magistrate, Gingee.

2 Defacto complainant has preferred the present criminal revision against the judgment of acquittal. In view of the amendment dated 31.12.2009 and also the decision rendered by the Full Bench of this Court reported in 2016 (4) CTC 119 (S.Ganapathy vs. N.Senthilvel) appeal only lies, before the Court of Sessions, against the judgment of acquittal impugned in this revision.

3 Hence Registry is directed to send entire papers to the Principal District and Sessions Judge, Villupuram, along with

original impugned judgment immediately. Both the parties are directed to appear before the Principal Sessions Judge, Villupuram, on 22.08.2019. Since the revision is pending before this Court from the year 2012, the learned Principal District and Sessions Judge, Villupuram, after receiving the papers and completing procedural formalities, is directed to dispose of the appeal on or before 23.09.2019 in accordance with law and send a report on the same to this Court.

4 With the above directions, the criminal revision case is disposed of.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge, Villupuram.
2. The Judicial Magistrate, Gingee.
3. The Chief Judicial Magistrate, Villupuram.
4. The Inspector of Police, Gingee Police Station, Gingee.
5. The Additional Public Prosecutor, High Court of Madras.

Copy to:

The Section Officer,
Criminal Section,
High Court, Madras

(Directed to send entire papers to the Principal District and Sessions Judge, Villupuram along with original impugned judgment Immediately)

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CrI.R.C.881 of 2012

gj(co)
nr 19/08/2019