

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.07.2019

CORAM:

THE HON'BLE MR.JUSTICE P.VELMURUGAN

Cr1.R.C.No.627 of 2015

Samiappan

... Petitioner/Complainant

Vs.

1.R.Senthilkumar

2.M.Velmurugan

3.Thilagavathi

4.Nanthan

5.Sanjaichawla

6.N.Senthilkumar

7.Kasi Viswanathan

8.Gopinathan

9.M.R.Harishankar

10.Mathes,

11.J.Gandhi

12.Kaliappan

13.Mohankumar

14.Rajan

... Respondents/Respondents

Criminal Revision filed under Sections 397 and 401 Cr.P.C., praying to set aside the judgment dated 20.04.2015 made in C.C.No.37 of 2015 passed by the learned Judicial Magistrate No.VI, Salem.

For Petitioner : Mr.S.Gunalan

For respondents: Mr.R.Nalliyappan for RR1 to 6

R7, R13 & 14 - Notice not served
Mr.R.Rajan for RR8 to 11
R12-Died

O R D E R

This Criminal Revision has been filed to set aside the judgment dated 20.04.2015 made in C.C.No.37 of 2015 passed by the learned Judicial Magistrate No.VI, Salem.

2. Heard the learned counsel for the petitioner and the learned counsel for the respondents 1 to 6, 8 to 11 and also perused the materials available on record.s

3. This revision has been filed in the year 2015 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 acquittal can be filed before the jurisdictional Sessions Court. Therefore, both the parties are directed to appear before the jurisdictional Sessions Court on 29.07.2019.

4. Since it is the revision filed in the year of 2015 and the matter is pending more than four years, the learned District and Sessions Judge, Salem, is directed to take the appeal on file on the same day, if otherwise in order, and dispose of the appeal in accordance with law on or before 29.08.2019 and report the same before this Court.

5. With the above directions, this Criminal Revision Case stands disposed of.

-s/d-

Assistant Registrar (CS-I)

True Copy

Sub-Assistant Registrar

KMI

To

1. The Judicial Magistrate-VI,
Salem.

2. The District and Sessions Judge, Salem District, Salem.

Copy to

1.The Section officer

Criminal Section(Records)

High Court, Madras 104.

(To send the entire records immediately within a week)

+1 CC to Mr.S.Gunalan, Advocate sr 62024.

Cr1.R.C.No.627 of 2015

NR(CO)

SP(24/07/2019)



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