

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.950 of 2012

P.Seetharaman

...Petitioner

Vs.

1. A.Mohamed Yasik

2.The state rep. by
The Inspector of Police,
Kanchi Taluk Police Station,
Kancheepuram - 631501.

...Respondents

Prayer: This Criminal Revision filed under Section 397 and 401 of Code of Criminal Procedure to call for the records relating to the judgment passed in C.C.No.125 of 2011 dated 14.05.2012 on the file of the learned Judicial Magistrate No.II, Kanchipuram, and set aside the same.

For Petitioner : M/s.OM Sai Ram Associates

For Respondents : Mr.V.V.Devaraj for R1
- No Appearance
Mr.T.Shanmugarajeswaraj
Govt. Advocate (Crl.Side) for R2

ORDER

The criminal revision has been filed against the order of acquittal dated 14.05.2012 made in C.C.No.125 of 2011 passed by the learned Judicial Magistrate No.II, Kanchipuram.

2 Defacto complainant has preferred the present criminal revision against the order 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 order of acquittal impugned in this revision.

3 It is seen that the revision itself was filed in the year 2012 i.e. after the amendment. Even though, Registry of

this Court has sent some of the cases like this to the jurisdictional Court, after the Full Bench judgment stated supra, this case is missed. Hence Registry is directed to send entire papers to the jurisdictional Court along with original impugned order immediately. Both the parties are directed to appear before the jurisdictional Sessions Court on 17.07.2019. Since the revision is pending before this Court from the year 2012, the learned Jurisdictional Sessions Judge, after receiving the papers and completing procedural formalities, is directed to dispose of the appeal on or before 19.08.2019 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.
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Sd/-
Assistant Registrar (CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The Judicial Magistrate No.II,
Kanchipuram.
2. The Inspector of Police,
Kanchi Taluk Police Station,
Kancheepuram - 631501.
3. The Public Prosecutor,
High Court, Madras.
4. The Principal District and
Sessions Judge,
Chengalpattu.

Copy to:-

The Section Officer,
Criminal Section, /Records,
High Court, Madras - 104.

+1cc to M/s.Om Sai Ram, Advocate, SR.No.54850

Cr1.R.C.950 of 2012

Kak (03/07/2019)