

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.R.C.No.970 of 2012

Elumalai

...Petitioner

Vs.

1. The Inspector of Police,
Desur Police Station,
Vandavasi Taluk,
Thiruvannamalai District.
(Crime No.90 of 2001)

2. Velyutham

3. Selvaraj

4. Ganesan

...Respondents

The Criminal Revision filed under Section 397 read with 401 of Code of Criminal Procedure, to set aside the judgment passed in C.C.No.155 of 2002, dated 09.12.2011, on the file of the learned Principal District Munsif cum Judicial Magistrate, Vandavasi.

For Petitioner : Mr.S.Thirunavukarasu

For Respondents : Mr.T.Shanmugarajeswaran - R1
Govt. Advocate (Crl. Side)

Mr.D.Ravichander- R2 to R4

ORDER

This Criminal Revision has been filed to set aside the judgment passed in C.C.No.155 of 2002, dated 09.12.2011, on the file of the learned Principal District Munsif-cum-Judicial Magistrate, Vandavasi.

2. It is seen that as against the order passed by the learned District Munsif-cum-Judicial Magistrate, Vandavasi, the petitioner approached this Court directly with this revision.

3. 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, the order passed by the learned District Munsif-cum-Judicial Magistrate, Vandavasi will lie only before the Sessions Court. By passing the Sessions Court, the petitioner has approached this Court by way of this Criminal Revision. Therefore, this Criminal Revision is not maintainable and the same is returned.

4. Registry is directed to send the papers to the Jurisdiction Sessions Court and also return the original impugned order.

5. Both the parties are directed to appear before the jurisdiction Court on 17.07.2019 without fail. The learned District Judge is directed to take the appeal on file if otherwise in order and dispose of the same on merits on or before 16.08.2019 in accordance with law and directed to file the compliance report before this Court.

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

20.06.2019

Index : Yes/No

Internet: Yes/No

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To

1. The District Munsif cum
Judicial Magistrate,
Vandavasi.
2. The The Inspector of Police,
Desur Police Station,
Vandavasi Taluk,
Thiruvannamalai District.
3. The Public Prosecutor,
High Court, Madras.

P.VELMURUGAN.J.,

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