

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.428 of 2014

V.Swaminathan

...Petitioner

Vs.

1. Vinodh Kumar
2. Kalyanasundaram
3. Kasiviswanathan
4. The Inspector of Police,
Vellavedu Police Station,
Thiruvallur District.
(Crime No.62/2009)

...Respondents

Prayer: This Criminal Revision filed under Sections 397 and 401 of Code of Criminal Procedure to call for the records pertaining to judgment dated 26.12.2013 in S.T.C.No.155 of 2012 on the file of the learned Judicial Magistrate No.II, Poonamallee, Thiruvallur District and set aside the same and order re-trial.

For Petitioner : Mr.S.D.Ramalingam

For Respondents : Mr.M.Purushothaman for R1 to R3
Mr.T.Shanmugarajeswaran
Govt. Advocate (Crl.Side) for R4

ORDER

The criminal revision has been filed against the judgment of acquittal dated 26.12.2013 in S.T.C.No.155 of 2012 by the learned Judicial Magistrate No.II, Poonamallee, Thiruvallur District.

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, Thiruvallur, along with original impugned judgment immediately. Both the parties are directed to appear before the jurisdictional Sessions Court on 29.07.2019. Since the revision is pending before this Court from the year 2014, the learned Principal District and Sessions Judge, Thiruvallur, after receiving the papers and completing procedural formalities, is directed to dispose of the appeal on or before 29.08.2019 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Principal District and Sessions Judge, Thiruvallur.
2. The Judicial Magistrate No.II, Poonamallee, Thiruvallur District.
3. The Additional Public Prosecutor, High Court of Madras.
4. The Inspector of Police, Vellavedu Police Station, Thiruvallur District.
5. The Deputy Registrar, Criminal Section, High Court, Madras.
6. The Section Officer/Record Clerk ER Section, High Court, Madras.

7. The Section Officer,
Criminal Section,
High Court, Madras

+1cc to Mr.M.Purushothaman, Advocate sr.61012

Cr1.R.C.428 of 2014

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