

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2019

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

Crl.RC.No.144 of 2014

N.Subbaiyan

... Petitioner/Complainant

vs

1.M.Ayyappan

...Respondent/Accused No.2

2.M.Krishnamurthi

...Respondent/Accused No.3

3.The State of Tamil Nadu,

Rep by The Inspector of Police,

Keezhaiyur Police Station,

Keezhaiyur,

Nagapattinam District.

... Respondent/Complainant

Prayer Criminal Revision filed under Section 397 r/w 401 of Code of Criminal Procedure, to set aside the Judgment in S.C.No.37 of 2011 on the file of the Assistant Sessions Judge (Chief Judicial Magistrate), Nagapattinam dated 26.12.2012 and thereby convict the accused.

For Petitioner : Mr.K.A.Ravindran

For REspondents : Mr.T.Shanmugarajeshwaran

Government Advocate(Criminal Side)

ORDER

This Criminal Revision Case has been filed against the judgment dated 26.12.2012 made in S.C.No.37 of 2011 passed by the learned Assistant Sessions Judge (Chief Judicial Magistrate), Nagapattinam.

2 Heard the learned counsel for the revision petitioner and the learned Government Advocate (Criminal Side) appearing for the respondents and perused the materials available on record.

3 This revision has been filed in the year 2014 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 judgment of acquittal can be filed before the Jurisdictional Sessions Court. Therefore, both the parties are directed to appear before the Jurisdictional Sessions Court (Principal District and Sessions Court, Nagapattinam), on 29.08.2019.

4 Since it is the revision filed in the year of 2014 and the same is pending more than four years, the learned Principal District and Sessions Judge, Nagapattinam, is directed to take the appeal on file, if otherwise in order and dispose the same in accordance with law on or before 23.09.2019, and report the same before this Court.

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

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sbn

To

1.The Principal District and Sessions Court,
Nagapattinam.

2. The learned Assistant Sessions Judge
(Chief Judicial Magistrate Court),
Nagapattinam.

3.The Inspector of Police,
Keezhaiyur Police Station,
Keezhaiyur,
Nagapattinam District.

4.The Public Prosecutor,
High Court, Madras.

Copy to

1.The Section Officer/Record
Criminal Section

High Court, Madras 104.

(To sent the entire records to the Jurisdiction Court)

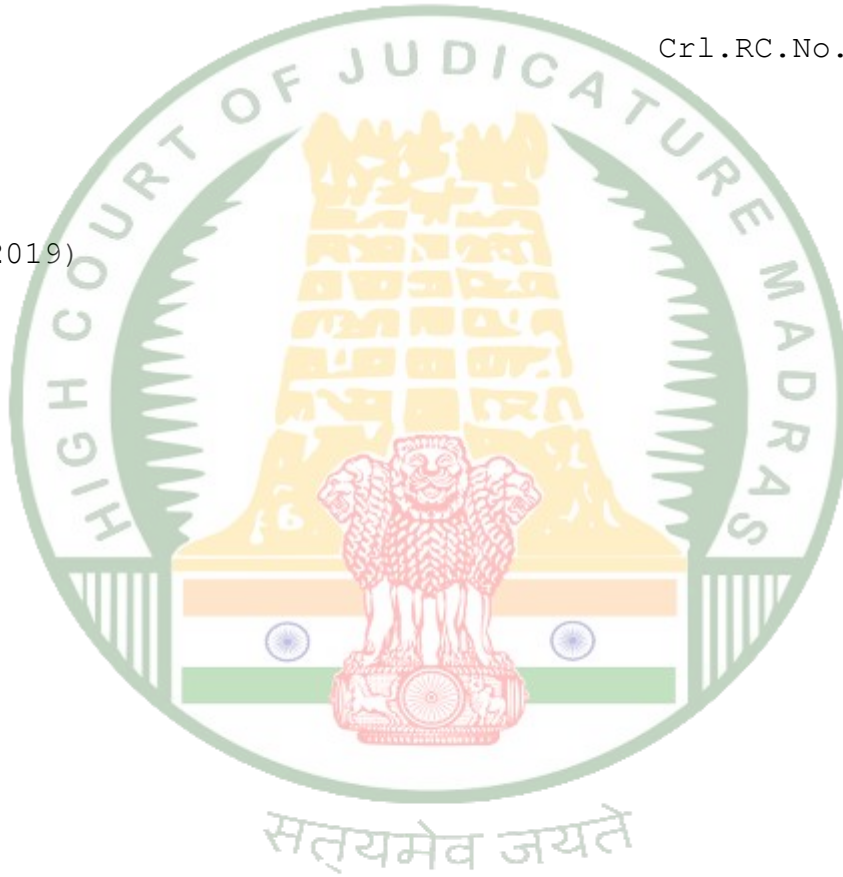
2.The Section officer/Posting
Criminal Section

High Court, Madras 104.

(Report on 23.09.2019)

Cr1.RC.No.144 of 2014

NR (CO)
SP (22/08/2019)



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