

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.06.2019****CORAM****THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN****Crl.R.C. (MD) Nos. 771, 796 and 798 of 2011**

WEB COPY

Karthikeyan

... Petitioner/Defacto Complainant
in all Crl.R.Cs

Vs.

1.R.Dhanapandiarajan 1st respondent/Accused in
Crl.R.C. (MD) No. 771 of 20111.B.Suresh 1st respondent/Accused in
Crl.R.C. (MD) No. 796 of 20111.R.Thangaraj 1st respondent/Accused in
Crl.R.C. (MD) No. 798 of 2011

2.State through

The Inspector of Police,
Virudhunagar, Bazaar Police Station,
Virudhunagar District.(Crime No.19 of 2000) ... 2nd Respondent/Complainant
in all Crl.R.Cs

Common Prayer: Criminal Revision Case is filed under Section 397 r/w. 401 of Cr.P.C, to call for records and may be pleased to set aside the conviction and enhancement of the punishment may be pleased to remand the matter to the learned Judicial Magistrate No.II, Srivilliputhur for reappraisal of the correctness, legality and propriety of sentenced passed in C.C.Nos.41, 43 and 44 of 2006, dated 24.06.2011.

(in all Crl.R.Cs)

For Petitioner : Mr.G.Mariappan

For Respondents : Mr.A.Robinson
Govt. Advocate (Crl. Side) for R2
: Mr.G.Marimuthu for R1**C O M M O N O R D E R**

These criminal revision cases have been filed by the complainant seeking enhancement of the sentence imposed on the accused in respect of the calendar cases. The impugned judgments were passed on 24.06.2011. This is after the cut of date. Therefore in my view, these criminal revision cases are not maintainable. The petitioner is very much having the right to file appeal before the Sessions Court. It is seen that the accused had filed Criminal Appeals before the Sessions Court and they are still pending on the file of learned Additional Sessions Court, Fast Track Court,



Virudhunagar in C.A.Nos.20, 37 and 57 of 2017.

2.The learned counsel appearing for the petitioner submitted that he would also file an appeal within a period of two weeks from the date of receipt of a copy of this order. When such an appeal is filed, the learned Sessions Court is directed to number the same without reference to limitation. The appeals to be filed by the petitioner will be taken along with the appeals that have been already filed by the accused. With this liberty and direction to the petitioner, these criminal revision cases are closed.

Sd/-

Assistant Registrar(AD-II)

// True Copy //

Sub Assistant Registrar(CS)

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To:

1.The Additional Sessions Court,
Fast Track Court,
Virudhunagar.

2.The Judicial Magistrate No.II,
Srivilliputhur.

3.The Inspector of Police,
Virudhunagar, Bazaar Police Station,
Virudhunagar District.

Copy to

The Section Officer, CrI.Section,
Madurai Bench of Madras High Court, Madurai. (2 copies)

+1CC TO MR.G.M.LAW OFFICE, Advocate Sr. No.71504

+3CC TO MR.G.MARIAPPAN, Advocate Sr. No. 71867 TO 71869

CrI.R.C. (MD) Nos.771, 796 and 798 of 2011
26.06.2019

PK(CO)

TR (28.08.2019) 2P 10C