



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.01.2020

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Cr1.O.P. (MD) .No.300 of 2020

Chandra

... Petitioner/Revision Petitioner

Vs.

The Inspector of Police,
Samayapuram Police Station,
in Crime No. 123 of 2018
Tiruchirapalli District.
Respondent

...Respondent/Revision

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to set aside the order passed in Criminal Revision No. 33 of 2018 dated 04.02.2019 on the file of the learned III Additional District and Sessions Judge, Tiruchirapalli.

For Petitioner : Mr.S.R.A.Ramachandhran

For Respondent : M/s.S.Chandrasekar,
Additional Public Prosecutor

ORDER

This Criminal Original Petition has been filed to set aside the order passed in Criminal Revision No. 33 of 2018 dated 04.02.2019 on the file of the learned III Additional District and Sessions Judge, Tiruchirapalli.

2. The learned counsel appearing for the petitioner would submit that the petitioner has filed a Criminal Revision No. 33 of 2018 seeking to set aside the condition No.4 of the Order, dated 16.05.2018 in Cr1.M.P. No. 1932 of 2018 passed by the learned Judicial Magistrate No.III, Tiruchirappalli in R.P. No. 228 of 2018 in Crime No. 123 of 2018. He would further submit that the trial Court while passing order, dated 16.05.2018 in Cr1. M. P. No. 1932 of 2018 to return of vehicle directed the petitioner to produce the vehicle in monthly once which was unreasonable and the petitioner had challenged the aforesaid order in Cr1.R.No. 33 of 2018 before the learned Additional District Judge, Tiruchirapalli and the same was 'dismissed for default' on 04.02.2019. The Revisional Court had dismissed the order without passing an order on merits.



3. I have gone through the order, dated 04.02.2019 in CrI. R. No.33 of 2018 passed by the learned III Additional District and Sessions Judge, Tiruchirapalli.

4. Accordingly, the instant Criminal Original petition is allowed and the order, dated 04.02.2019 in Criminal Revision No. 33 of 2018 passed by the learned III Additional District and Sessions Judge, Tiruchirapalli is set aside and the matter is remanded back to the Revisional Court and the Revisional Court shall take up the matter and pass an order on merits. The Revision Petitioner is directed to appear before the learned III Additional District and Sessions Judge, Tiruchirapalli on 31.01.2020.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

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Sub Assistant Registrar(CS)

To

1. The III Additional District and Sessions Judge,
Tiruchirapalli.

2. The Inspector of Police,
Samayapuram Police Station,
Tiruchirapalli District.

3. The Addl. Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.R.A.RAMACHANDRAN, Advocate (SR-1726[F] 13/01/2020)

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