



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2020

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl. R.C.(MD)No.442 of 2020
and Crl.M.P.(MD)No.3895 of 2020

Raja @ Vandayar Raja

.. Petitioner

Vs.

1.The Sub Divisional Magistrate cum
Revenue Divisional Officer,
Pudukkottai.

2.The Inspector of Police,
Thirugokarnam Police Station,
Pudukkottai,
Pudukkottai District.

.. Respondents

Prayer : This Revision Case is filed under Section 397 r/w 401 of Cr.P.C., to call for the records of the first respondent in Na.Ka.A3/2096/2020, dated 12.05.2020 and set aside the same.

For Petitioner : Mr.G.Mathavan

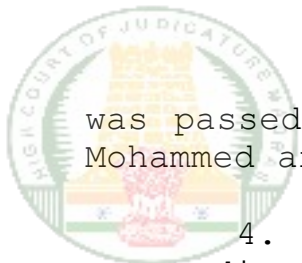
For Respondent : Mrs.Anandha Devi
Government Advocate

ORDER

This revision has been filed to set aside the order dated 12.05.2020, passed by the first respondent in Na.Ka.A3/2096/2020.

2. A case was registered against the petitioner in Crime No.47 of 2020 by the respondent police, the petitioner appeared before the first respondent on 11.02.2020 , he executed a bond under Section 110 of Cr.P.C. for maintaining peace for one year. On 26.04.2020, another case was registered against the petitioner and others for selling Intoxicating injections. Hence, a case in Crime No.302 of 2020, was registered against the petitioner. The second respondent requested the first respondent to initiate action against the petitioner for violating the bond and thereafter, the first respondent passed the impugned order. Against that impugned order, the petitioner filed this Criminal Revision.

3. On the side of the petitioner, it is stated that the impugned order was not passed against the petitioner. The order



was passed only against another person, viz., Mohammed, S/o. Asan Mohammed and not against this petitioner.

4. On the side of the prosecution, it is stated that the proceeding was initiated only against the petitioner and in the impugned order, mistakenly the name of somebody else was stated as a typographical error and the respondents request liberty to take fresh proceeding against the petitioner.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. A perusal of the records reveals that in the short cause title, the name of the petitioner was given, but, the order was passed against somebody else. In the above circumstances, the impugned order dated 12.05.2020, passed by the first respondent in Na.Ka.A3/2096/2020 is hereby set aside. Liberty is given to the second respondent to take fresh proceeding against the petitioner.

7. With the above direction, this Criminal Revision Case is allowed. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Ls

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Sub Divisional Magistrate cum
Revenue Divisional Officer, Pudukkottai.
- 2.The Inspector of Police, Thirugokarnam Police Station,
Pudukkottai, Pudukkottai District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Crl. R.C.(MD)No.442 of 2020

13.08.2020

scr(CO)

TP(21.08.2020) 2P 4C

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