

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.R.C.No.1303 of 2019

K.Devamani

S/o.Kaliya Murthy

... Petitioner

Vs.

1. The State represented by,
The Station House Officer,
Thirunallar Police Station,
Thirunallar.

2. The Sub-Divisional Magistrate,
Karaikal.

... Respondents

PRAYER: Criminal Revision Petition filed under Sections 397 r/w. 401 of Cr.P.C. to call for the records in M.C.No.37 of 2019 on the file of the learned Sub-Divisional Magistrate, Karaikal, Puducherry and set aside the order dated 14.11.2019 passed in M.C.No.37 of 2019 on the file of the learned Sub-Divisional Magistrate, Karaikal, Puducherry.

For Petitioner : Mr.R.Vivekananthan

For Respondents: Mr.Bharatha Chakravarthy

Public Prosecutor (Puducherry)

O R D E R

The Sub-Divisional Magistrate, Karaikal, initiated proceedings under Section 107 Cr.P.C. in M.C.No.37 of 2019 in Cr.No.11 of 2019 and passed an order on 14.11.2019 to execute the bond under Section 117 Cr.P.C. for a security amount of Rs.1,00,000/- with one surety to maintain their good behaviour for a period of one year.

2. Learned counsel for the petitioner would submit that the Sub-Divisional Magistrate followed the proceedings under Section 122 Cr.P.C. However, Mr.Bharatha Chakravarthy, learned Government Advocate, would submit that conditional period of one year itself was lapsed. Therefore, nothing survives for further adjudication in this revision.

3. On a perusal of the order passed by the Sub-Divisional Magistrate on 18.11.2019 directing the petitioner to execute a bond for a period of one year and as pointed out by the learned counsel for the respondent, the period to comply with the condition imposed on bond was lapsed. Therefore, this writ petition is dismissed as infructuous. However, the respondent found that it is a fit case that they can initiate a fresh proceeding.

4. In the aforesaid circumstance, the Criminal Revision Case is dismissed as infructuous.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

bri
To

- 1.The Station House Officer,
Thirunallar Police Station,
Thirunallar.
- 2.The Sub-Divisional Magistrate,
Karaikal.
- 3.The Public Prosecutor, (Puducherry)
High Court, Madras.
4. The Section Officer, Criminal Section,
High Court Madras.

+1cc to Mr.R.Vivekananthan, Advocate ,sr no.4967

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AK (CO)
RMP (04/03/2021)

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