



Bail Slip

Konayyan Govindasamy, Proprietor, M/s.Sri Durga and Company, Male, aged 45 years / 2017 was released on bail vide court order dated 07.06.2017 made in CRL MP(MD)Nos.4534 and 4536 of 2017 in CRL RC(MD)No.433 and 434 of 2017.

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATE : 03.02.2021

CORAM

THE HONOURABLE MRS. JUSTICE R. THARANI

Crl.A.(MD)Nos.32 and 33 of 2021

Konayyan Govindasamy,
Proprietor, M/s.Sri Durga and Company

... Appellant in both appeals

Vs.

M/s.Kulkarni Power Tools Limited,
P.A.O.(Srinivasan),
No.47, Sri Ganesh Nagar,
200 Feet Road, Kolathur,
Chennai-600 099.

.. Respondent in both appeals

Prayer : This Criminal Appeals are filed under Section 397 r/w 401 of Cr.P.C., to set aside the order passed in C.A.Nos.72 and 73 of 2016, dated 27.03.2017 on the file of VI Additional District and Sessions Judge, Madurai, reversing the order of the acquittal in S.T.C.Nos.421 and 422 of 2015, dated 02.07.2016 on the file of the Judicial Magistrate No.1, Fast Track Court at JM Level, Madurai.

For Appellant
(in both appeals) : Mr.E.Somasundaram

For Respondent
(in both appeals) : Mr.R.Vijayakumar

COMMON JUDGMENT

The order passed by the Sessions Judge was disregarded by this Court. Both the revisions are converting into an appeal will make a confusion in the position of the appellant and the respondent.

2.It is seen that already this Court has passed an order in Crl.R.C.(MD)Nos.433 and 434 of 2017, dated 22.12.2020. In Paragraph No.4 of this order, the Court has directed the Registry to assign a fresh number. The Memorandum of Appeal filed by the respondent before the Sessions Court will be treated as the

<https://hcservices.mca.gov.in/hcservices/>



Memorandum of grounds of Appeal in these Criminal Appeals.

3. In view of the above observations, these Criminal Appeals are closed with the following directions:-

(i) The entire proceedings before the lower Appellate Court is to be set aside.

(ii) The entire revision proceedings are to be closed.

(iii) Registry is directed to assign fresh criminal appeal numbers, taking into consideration, the Memorandum of Appeal filed by the respondent before the Sessions Court, will be taken as the grounds of Appeal and that the respondent in these appeals will be the appellant and that the revision petitioner will be the respondent in the new criminal appeals.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

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 VI Additional District and Sessions Judge, Madurai.

2. The Judicial Magistrate No.1,
Fast Track Court at JM Level, Madurai

3. The Chief Judicial Magistrate, Madurai.

COPY TO

The Record Keeper, Criminal Section,
Madurai Bench of Madras High Court,
Madurai (2 COPIES).

Crl.A. (MD) Nos.32 and 33 of 2021
03.02.2021

KUN (CO)

TR(04.03.2021) 2P 6C