



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Original Jurisdiction)

Thursday, the Twenty Ninth day of April Two Thousand and Twenty One

PRESENT

The Hon'ble Mr.Justice B.PUGALENDHI

CRL MP(MD). No.1922 of 2021

in

CRL OP(MD).No.15151 of 2016

C.Shanmugham

...Petitioner/Petitioner

Vs

T.R.Jeyaraman

...Respondent/Respondent

Prayer in CRL MP(MD). No.1922 of 2021 :-

Criminal Miscellaneous Petition is filed under section 482 of Criminal Procedure Code, praying this Hon'ble Court to Restore the above quash Petition in Crl.O.P.(MD).No. 15151 of 2016 which was dismissed for non -Prosecution dated 19.02.2020 and take the above Criminal Original Petition on its file.

Prayer in CRL OP(MD).No.15151 of 2016 :

Criminal Miscellaneous Petition is filed under section 482 of Criminal Procedure Code, praying this Hon'ble Court to call for the records relating to the impugned complaint of the respondent in C.C.No. 177 of 2016 on the file of the Judicial Magistrate - IV, Madurai quash the same in so far as against the petitioner herein.

ORDER:-

Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.V.S.Kumaraguru, Advocate for the Petitioner, this Court made the following order:

This criminal miscellaneous petition is filed for restoring the criminal original petition in Crl.O.P(MD)No.15151 of 2016, which was dismissed by this Court for Non-prosecution on 19.02.2020.

2. When the matter is taken up for hearing, the learned Counsel appearing for the petitioner submitted that his non-appearance on 19.02.2020 was neither willful nor wanton, but it was due to oversight, he did not take note of the listing of the case on 19.02.2020 and therefore, prayed for restoration of the Criminal Original Petition in Crl.O.P(MD)No.15151 of 2016 by allowing this miscellaneous petition.



3. In the light of the submission made by the learned Counsel for the petitioner, this miscellaneous petition is allowed and the criminal original petition in Crl.O.P(MD)No.15151 of 2016 is restored.

WEB COPY

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

- 1 The Judicial Magistrate - IV, Madurai
- 2 The Chief Judicial Magistrate, Madurai

Copy to:

The Section Officer, Criminal Section and Record,
Madurai Bench of Madras High Court, Madurai (2 copies)
(To Restore the cases)

+1 CC to Mr.V.S.KUMARAGURU, Advocate SR.No. 18034

ORDER DATED : 29/04/2021

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Restoration
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CRL MP(MD). No.1922 of 2021
in
CRL OP(MD).No.15151 of 2016

Giving direction and etc.
as stated within.

ns (CO)
TR(07.05.2021) 2P 6C