



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.07.2021

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THE HONOURABLE MRS. JUSTICE T.KRISHNAVALLI

CrI.R.C(MD)No.332 of 2021

S.Praveen

: Petitioner/Petitioner/A3

Vs.

State,

Rep. by Sub Inspector of Police,

CBCID, Theni.

(Crime No.1 of 2019)

: Respondent/Respondent/Complainant

Prayer: Criminal Revision has been filed under section 397 r/w 401 of Criminal Procedure Code, to call for records made in Cr.M.P No.1163 of 2021 on the file of the Judicial Magistrate, Theni, filed by the petitioner under Section 451 of Cr.P.C and set aside the partial dismissal order, dated 24.03.2021.

For Petitioner

: Mr.S.Poornachandran
for Mr.S.Vijayakumar

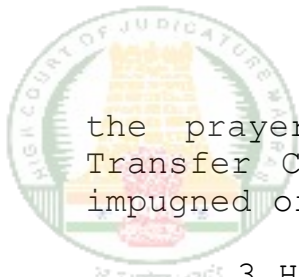
For Respondent

: Mr.RMS.Sethuraman
Standing counsel for
State Government (CrI. Side)

O R D E R

This Criminal Revision is directed against the partial order, dated 24.03.2021 made in Cr.M.P No.1163 of 2021 on the file of the Judicial Magistrate, Theni, filed by the petitioner under Section 451 of Cr.P.C.

2.The respondent police registered the case in Crime No.1 of 2019 for the alleged offence under sections 120(B), 419 and 420 IPC, on the basis of the complaint lodged by the Dean, Theni Medical College Hospital, on 18.09.2019 alleging that during the Academic year 2019-2020, the petitioner and some other students impersonated NEET entrance examination for MBBS and obtained medical seats. In this connection, the petitioner was arrested and enlarged on bail by the Principal Sessions Judge, Theni. The petitioner's SSLC, HSC Mark statement, Community Certificate and Transfer Certificate were also seized by the respondent police and the same have been handed over to the Judicial Magistrate, Theni. The petitioner filed an application in Cr.M.P No.1163 of 2021 on the file of the Judicial Magistrate, Theni, for return of his certificates. However, the learned Judicial Magistrate, by order, dated 24.03.2021 allowed the application and directed the respondent police to return the certificates and to issue a mark statement and dismissed the application.



the prayer with regard to return of Community Certificate and Transfer Certificate. Aggrieved over the partial dismissal of the impugned order, the petitioner is before this court.

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

4. In a similar circumstance, this court has passed an order in Cr1.RC(MD)No.553 of 02020, dated 02.02.2021 directing the concerned authority to give the Transfer Certificate and Conduct Certificate within a period of two weeks from the date of filing of necessary application by the petitioner.

5. In view of that, this Criminal Revision is allowed, by directing the concerned authority to give the Transfer and Conduct Certificate, within a period of two weeks from the date of filing of necessary application by the petitioner.

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Judicial Magistrate, Theni.
2. The Sub Inspector of Police, CBCID, Theni.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
4. The Section Officer, Criminal Section,
Madurai Bench of Madras High Court, Madurai. (2 copies)

+1 CC to M/s.S.VIJAYAKUMAR, Advocate (SR-22229[F] dated 13/07/2021)

Judgment made in
Cr1.R.C (MD) No.332 of 2021
12.07.2021

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TR(27.07.2021) 2P 7C