



WEB COPY



Crl.R.C.No.453 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2022

CORAM:

THE HON'BLE Mr. JUSTICE P.VELMURUGAN

Criminal Revision Case No.453 of 2020
and
Crl.M.P.No.3635 of 2020

N.Arumugam

... Petitioner

Versus

The State Rep.by
The Inspector of Police,
Cuddalore Port Police Station,
Cuddalore.

... Respondent

Criminal Revision Case filed under Sections 397 and 401 of Criminal Procedure Code to call for the records of the order passed in Crl.M.P.No.3411 of 2019 dated 10.02.2020 on the file of the 1st Additional District and Sessions Judge, Cuddalore and set aside the order and direct the learned 1st Additional District and Sessions Judge, Cuddalore to discharge the petitioner from the case.

For Petitioner : M/s.Nathan and Associates
For Respondent : Mr.R.Murthi
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case has been preferred against the order dated 10.02.2020 passed by the learned 1st Additional District and Sessions Judge, Cuddalore in Crl.M.P.No.3411 of 2019.



2. The respondent/Police registered a case in Crime No.36 of 2018 against the petitioner and others for the offences under Sections 147, 148, 323, 307 and 302 r/w 149 IPC. The petitioner has been arrayed as A21. On completion of the investigation, the respondent/Police laid a charge sheet before the learned Judicial Magistrate No.II, Cuddalore and committed the case to the learned Sessions Judge, since the offences are triable by the Court of Session. The learned Principal District and Sessions Judge, Cuddalore taken the case on file in S.C.No.31 of 2019 and made over to the learned 1st Additional District and Sessions Judge, Cuddalore. Pending Sessions Case, the petitioner filed a petition under Section 227 Cr.P.C before the trial Court to discharge him from the said case. The trial Court dismissed the said petition. Challenging the same, the petitioner has filed the present revision.

3. Today, when the matter is taken up for hearing, the learned counsel for the petitioner seeks short accommodation for getting clarification. However, the learned Government Advocate (CrI.Side) appearing for the respondent submitted that this Court by an order dated 19.09.2022 in CrI.O.P.No.16285 of 2021 has given a direction to the trial Court for speedy disposal. As per the direction of this Court, charges were framed, trial commenced and the same was completed. Further, the prosecution side



arguments was also completed and now the matter is posted before the trial Court for hearing the arguments of the defence. Therefore, nothing survives for adjudication in the present case.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent and also perused the materials available on record.

5. Admittedly, pending Sessions Case, the petitioner has filed a petition under Section 227 Cr.P.C before the trial Court to discharge him from the Sessions Case. The said petition was dismissed. It is seen that in the Sessions Case, charges were framed, trial was completed and prosecution side arguments also completed and now, the case is posted for hearing the arguments of defence. Therefore, this Court is of the opinion that nothing survives for adjudication in the present case. Accordingly, this Criminal Revision Case is dismissed as infructuous. Consequently, connected miscellaneous petition is closed.

08.12.2022

Index : Yes/No
Speaking Order/Non Speaking Order
ms



Crl.R.C.No.453 of 2020

P.VELMURUGAN, J.

ms

To

- 1.The 1st Additional District and Sessions Judge,
Cuddalore.
- 2.The Public Prosecutor,
High Court, Madras.
- 3.The Inspector of Police,
Cuddalore Port Police Station,
Cuddalore.

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and
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