

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

Crl. R.C. No. 771 of 2022

Mr.V. Rajeswari

..Petitioner

Vs.

1. The Commissioner of Police,  
Veppery, Chennai.

2. The Inspector of Police,  
C-3, Sevenwells Police Station (L & O),  
Sevenwells, Chennai - 600 001.

3. Vinoth

..Respondents

Prayer: Criminal Revision Case filed under Section 397 r/w 401 Cr.P.C. to set aside the order dated 12.04.2022 passed in Crl.M.P. No. 8537 of 2021 by the VIII Metropolitan Magistrate, George Town, Chennai -1.

For Petitioner :: Mr.M. Gnanasekar  
For Respondent :: Mr.S. Vinoth Kumar,  
Govt. Advocate  
(Crl.Side)

O R D E R

This revision is filed against the order of the learned VIII Metropolitan Magistrate, George Town, Chennai in Crl.M.P. No. 8537 of 2021 dated 12.04.2022 in and by which the Trial Court was pleased to dismiss the application filed by the petitioner under Section 156(3) Cr.P.C., on the ground that there was no representation by the petitioner on the date of hearing.

2. The learned counsel for the petitioner would submit that all along, the petitioner had been appearing and only on the said date, unfortunately, the petitioner could not reach the Court and therefore, would submit that one more opportunity may be granted to the petitioner.

3. Heard the learned Government Advocate (Crl.Side) appearing for the respondent.

4. Considering the facts and circumstances of the case, I am of the view that this is a fit case where one more opportunity can be given to the petitioner to contest her case on merits. Therefore, this criminal revision case is disposed of on the following terms:

(i) The order of the learned VIII Metropolitan Magistrate, George Town, Chennai in CrI.M.P. No. 8537 of 2021 dated 12.04.2022 is set aside;

(ii) CrI.M.P. No. 8537 of 2021 is restored to the file of the learned Magistrate and the petitioner shall appear before the Magistrate without fail on the next hearing on 08.07.2022. Upon appearance of the petitioner, the learned VIII Metropolitan Magistrate is directed to consider the same on merits and in accordance with law.

Sd/-

Assistant Registrar

True Copy//

Sub Assistant Registrar

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To

1. The VIII MM Court,  
George Town, Chennai.
2. The Public Prosecutor,  
High Court, Madras.

+1cc to Mr.M. Gnanasekar, Advocate, S.R.No.39101

CrI.R.C.No. 771 of 2022

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NSK/11/07/2022