



Crl.O.P.No.29180 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.11.2022

CORAM :

THE HONOURABLE Ms. JUSTICE R.N.MANJULA

Crl.O.P.No.29180 of 2022

Ganesan

... Petitioner

Vs

The Inspector of Police
Nallipalayam Police Station
Namakkal District.

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C praying to set aside the docket order dated 22.08.2022 made in C.R.P No.25 of 2022 on the file of the Principal District and Sessions Court, Namakkal in C.M.P No.655 of 2022 on the file of the Judicial Magistrate No.I, Namakkal, by allowing this Criminal Original Petition.

For Petitioner : Mr.R.Prabakar

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.side)



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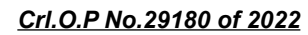
ORDER

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This Criminal Original Petition has been filed, challenging the docket order of the learned Principal District and Sessions Judge, Namakkal, dated 22.08.2022 made in C.R.P No.25 of 2022.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3. The petitioner is the revision petitioner in C.R.P No.25 of 2022 and in the said petition, he has challenged the order of the learned Judicial Magistrate No.I, Namakkal dated 30.05.2022 made in C.M.P No.655 of 2022 filed by the petitioner under Section 156(3) of Cr.P.C; since the learned Magistrate had not chosen to pass any order in favour of the petitioner in the petition filed under Section 156(3) of Cr.P.C. and dismissed the same, he challenged the said order by way of preferring C.R.P No.25 of 2022 before the learned Principal District and Sessions Judge, Namakkal; the matter stood posted for arguments on 22.08.2022; since the petitioner did not make his presence, the same was dismissed for non-prosecution; aggrieved over that, the petitioner has filed this



4. The learned counsel for the petitioner submitted that the petitioner was not well on the date, when the case was posted for arguments and give instructions.

5. Taking into consideration of all the materials available on record and other circumstances, I feel it is appropriate to set aside the order of the learned Principal District and Sessions Judge, Namakkal, in order to give an opportunity to the petitioner to get an order in Civil Revision petition on merits after submitting his arguments.

6. In the result, this Criminal Original Petition is allowed and the docket order dated 22.08.2022 made in C.R.P No.25 of 2022 on the file of the Principal District and Sessions Judge, Namakkal is set aside.

29.11.2022

Index : Yes/ No
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To

1. The Principal District & Sessions Judge,
Namakkal.
2. The Inspector of Police
Nallipalayam Police Station
Namakkal District.
3. The Public Prosecutor
High Court of Madras.



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R.N.MANJULA, J

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