



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2022

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

Crl.R.C.No.860 of 2017

D.Sekar

...Petitioner

Vs

The State Rep. by
Deputy Superintendent of Police,
CCIW, Salem Sub Division,
Salem.

...Respondent

PRAYER: This Criminal Revision Case is filed under Section 397 and r/w.401 Cr.P.C., against the judgment of the learned Principal Sessions Judge, Krishnagiri, dated 01.02.2016 made in Crl.R.C.No.4 of 2015, reversing the order of the learned District Munsif cum Judicial Magistrate, Denkanikottai, dated 05.02.2015 made in Crl.M.P.No.2877 of 2014 in C.C.No.15 of 2009.

For Petitioner : Mr.T.V.Sai Srujan Tayi

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

O R D E R

This Criminal Revision Case has been preferred challenging the judgment of the learned Principal Sessions Judge, Krishnagiri, dated 01.02.2016 made in Crl.R.C.No.4 of 2015, by which the order of the learned District Munsif cum Judicial Magistrate, Denkanikottai, dated 05.02.2015 made in Crl.M.P.No.2877 of 2014 in C.C.No.15 of 2009 was reversed.

2. The criminal revision petitioner is the 21st accused in the case. The case of the prosecution is that this petitioner along with other several accused had committed the offence of misappropriation, falsification of records and forgery etc., by entering into a criminal conspiracy among themselves by tampering the entries in the registers maintained by Krishnagiri District S.2004 Masinayakana Palli Primary Agricultural Co-operative Bank. This petitioner/21st accused was working as supervisor on the above said Bank for a short period. He filed a



petition for discharge in Crl.M.P.No.2877 of 2014 in C.C.No.15 of 2009 before the trial Court by alleging that there is no prima-facie materials available to fix him in this case. The said petition filed for discharge was allowed in his favour. However, the respondent/State has challenged the order of the learned Magistrate by preferring a revision before the learned Principal Sessions Judge, Krishnagiri and that was allowed. Aggrieved over that this petitioner has preferred this revision case.

3. However, it is seen that the very same petitioner had already filed Crl.R.C.No.1687 of 2016, challenging the very same order of the learned Principal Sessions Judge, Krishnagiri. However, that was allowed to be withdrawn by the petitioner himself. To this effect, an order was passed on 03.02.2017 in Crl.R.C.No.1687 of 2016. The order is extracted as below:

'Learned counsel for petitioner seeks permission of this Court to withdraw this revision and has also made an endorsement to that effect.

Recording the said endorsement, the Criminal Revision Case is dismissed as withdrawn.'

4.Having filed a revision petition challenging the very same order of the learned Principal Sessions Judge and the same was allowed to be withdrawn, the petitioner cannot once again file another revision petition for the same relief. It is submitted that the case before the learned Magistrate is still pending and the trial has not yet been concluded. Taking into account of the huge delay in completing the trial, I feel that the trial Court may be permitted to dispose the case as expeditiously as possible.

5.In the result, this Criminal Revision Case is dismissed as not maintainable and the learned District Munsif cum Judicial Magistrate, Denkanikkottai, is directed to dispose the case as expeditiously as possible.

Sd/-

Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

ssn



To

1. The Principal Sessions Judge,
Krishnagiri.
2. The District Munsif cum Judicial Magistrate,
Denkanikkottai.
3. The Deputy Superintendent of Police,
CCIW, Salem Sub Division,
Salem.
4. The Public Prosecutor,
High Court of Madras,
Chennai.

Copy To

The Section Officer,
Criminal Section,
High Court, Madras.

+1cc to Mr.T.V.Sai Srujan Tayi Advocate, S.R.No.3828

Cr1.R.C.No.860 of 2017

MT(CO)
RGA(28/02/2022)