



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Monday, the Fourth day of April Two Thousand and Twenty Two

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PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD) . No.4320 of 2022
in
CRL RC(MD)No. 589 of 2009

Murugesan ... Petitioner/Accused -2

Vs

State represented by
Inspector of Police
Vallam Police Station
Thanjavur District.
Crime.No. 114/2007

... Respondent/Complainant

Prayer :- CRL MP(MD) . No.4320 of 2022

Criminal Miscellaneous Petition filed under section 482 of Cr.P.C. to pass an order to restore the Crl.R.C.(MD) No. 589 of 2009 which was dismissed for default on 19/06/2018 on the file of this Honourable Court and thus render justice.

Prayer :- CRL RC(MD) . No.589 of 2009

Criminal Miscellaneous Petition filed under section 397 and 401 of Cr.P.C. to call for the records pertaining the Judgment and conviction passed by the learned I Additional Sessions Judge (Protection of Civil Rights), Thanjavur in C.A.No.84 of 2008 dated 26.10.2009 confirming the judgment and conviction passed by the learned Judicial Magistrate No.2, Thanjavur in CC.No.274 of 2007 dated 17.10.2008 convicting the petitioner for the alleged offences under section 326 IPC and sentenced him to undergo 1 year rigorous imprisonment and imposed to pay a fine of Rs.500/-, in default to undergo one month simple imprisonment and set aside the same and thus render justice.

ORDER:- This civil Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.A.Senthil Kumar Advocate for the Petitioner and of Mr.RMS.Sethuraman Additional Public Prosecutor for the respondent, this Court made the following order:

Pursuant to the direction of this Court in Crl.M.P.(MD)No.3872 of 2022, dated 24.03.2022, the petitioner has paid the cost of Rs.5,000/- as ordered by this Court. He has also filed a copy of the cost memo to that effect.



2. In view of the above, this petition is allowed and the Registry is directed to restore the petition on file.

Sd/-

Assistant Registrar (CS III)

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/ /2022
Sub Assistant Registrar(CS)

To

1. I Additional Sessions Judge
(Protection of Civil Rights),
Thanjavur
2. Judicial Magistrate No.2,
Thanjavur
3. The Inspector of Police
Vallam Police Station
Thanjavur District.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

Copy to:

The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai

ORDER DATED : 04/04/2022

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Restore
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CRL MP(MD) . No.4320 of 2022
in
CRL RC(MD) No. 589 of 2009

Giving direction and etc.
as stated within.

MGJ(22.04.2022) 2P 7C