



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Monday, the Twentieth day of June Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice K.MURALI SHANKAR

CRL MP(MD)No.4507 of 2022

in

CRL OP(MD)No.17043 o 2018

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Paulraj

... Petitioner/Petitioner

Vs

1.The Superintendent of Police,
Sivagangai,
Sivagangai District.

2.The Sub Inspector of Police (L & O),
Thiruppuvanam Police Station,
Thiruppuvanam,
Sivagangai District.

3.The Inspector of Police,
C.B.C.I.D., Sivagangai,
Sivagangai District.

... Respondents/Respondents

Prayer in Crl.MP(MD)No.4507 of 2022 :- Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C., to set aside the order of dismissed for default of the Criminal Original Petition in Crl.OP.(MD)No.17043 of 2018 for no Representation dt.06.12.2021 and restore the same on the file of this Hon'ble Court.

Prayer in Crl.OP(MD)No.17043 of 2018:- Criminal Original Petition has been filed under Section 482 of Cr.P.C., to transfer the investigation of the case in Cr.No.154 of 2018 pending on the file of the 2nd respondent police to any other independent agency or C.B.C.I.D officer under the direct supervision of the 1st respondent and further direct to file the final report in the said case within a reasonable time fixed by this Court.

ORDER:- This Criminal 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.P.Krishnasamy, Advocate for the Petitioner and of Mr.K.Sanjai Gandhi, Government Advocate for the Respondents, this Court made the following order:-

The Criminal Miscellaneous Petition has been filed seeking orders to restore the Criminal Original Petition, which was ordered to be dismissed for default on 06.12.2021.

2.The learned counsel appearing for the petitioner would submit

<https://www.mhc.tn.gov.in/judis>



that since he was out of station and he was unable to cor re
petitioner and inform him to appear before this Court on 06.12.2021,
the petitioner did not appear before the Court and hence, the
petition was ordered to be dismissed for default.

3.The learned Government Advocate (Crl. side) for the
respondents has not raised any serious objection to allow this
petition.

4. Considering the above and also the reasons stated in the
affidavit filed in support of this petition, this Court is inclined
to allow the petition.

5.Accordingly, the Criminal Miscellaneous Petition is allowed.
The Registry is directed to restore the petition in
Crl.O.P. (MD)No.17043 of 2018 and list the same in the usual course.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/07/2022

Sub Assistant Registrar(CS)

TO

- 1.The Superintendent of Police,
Sivagangai,
Sivagangai District.
- 2.The Sub Inspector of Police (L & O),
Thiruppuvanam Police Station,
Thiruppuvanam,
Sivagangai District.
- 3.The Inspector of Police,
C.B.C.I.D., Sivagangai,
Sivagangai 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. (2 COPIES)



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CRL MP(MD)



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ORDER DATED : 20/06/2022

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ORDER

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CRL MP (MD) No.4507 of 2022

in

CRL OP (MD) No.17043 of 2018

Giving direction and etc.
as stated within.

RD(01.07.2022) 3P 7C