

Crl.R.C(MD) No.430 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.09.2022

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

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Rajaram

... Revision Petitioner

Vs.

K.Ananth Karunakaran

... Respondent

Prayer : This Criminal Revision has been filed under Section 397 and 401 of Criminal Procedure Code, to call for the records relating to the order in C.R.M.P.No.652 of 2020 in C.M.P.No.370 of 2020 dated 02.11.2021 on the file of the learned Judicial Magistrate No.I, Trichirapalli and set aside the same as illegal.

For Petitioner : Mr.G.Kandavadivelan

ORDER

This Criminal Revision Case is directed against the order passed by the learned Judicial Magistrate No.I, Trichirapalli in C.R.M.P.No.652 of 2020 in C.M.P.No.370 of 2020 dated 02.11.2021.

2.The learned counsel for the petitioner submitted that on the date of hearing before the trial Court, he was taking second dose vaccination in the hospital, so, he was not in a position to appear before the trial Court. Without considering the same, the trial Court dismissed the petition.

3.Reading of B-diary extracts, shows that in some of the hearings the complainant/petitioner was present and most of the time the complainant and also the accused remained absent. It also appears that both of them did not co-operated with the trial Court to complete the process of trial.

4. During the course of argument, the learned counsel for the petitioner submitted that he is ready to pay costs to the respondent. Accordingly, the order passed by the learned Judicial Magistrate No.I, Trichirapalli in C.R.M.P.No.652 of 2020 in C.M.P.No.370 of 2020 dated 02.11.2021 is set aside and this Criminal Revision Case is allowed, on condition that the petitioner shall pay a sum of Rs. 2,000/- (Rupees Two Thousand only) to the respondent and the petitioner is

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directed to appear before the concerned Court on 12.10.2022 without fail and co-operate to complete the process of trial.

5.The petitioner must file a compliance report before the trial Court on 12.10.2022.

20.09.2022

Index : Yes/No

Internet : Yes/No

tta

To:-

Judicial Magistrate No.I, Trichirapalli

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G.ILANGOVAN,J

tta

ORDER MADE IN
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