



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
CRIMINAL 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.6286 OF 2022

IN

CRL OP(MD) NO.10565 OF 2019

Ayothiraman

.. Petitioner / Petitioner

Vs

1.The Superintendent of Police

Ramanathapuram District

Ramanathapuram.

.. 1st Respondent/1st Respondent

2.The Inspector of Police

Kenikarai Police Station

Ramanathapuram District.

.. 2nd Respondent/2nd Respondent

Prayer IN CRL MP(MD) . No.6286 of 2022 :-

This Criminal Miscellaneous Petition filed under section 482 of Cr.P.C., praying this Court, to restore the Crl.OP.No.10565/2019 on the file of Hon`ble Court, which is dismissed for default on 11.04.2022.

Prayer in CRL OP(MD) . 10565/ 2019 :

This Criminal Original Petition filed under section 482 of Cr.P.C., praying this Court to Transfer the investigation regard to the Crime No. 110 of 2015 dated 08/03/2015 on the file of the 2nd Respondent Police to some other competent investigation agency and pass such other or further orders

ORDER:-

This Criminal Miscellaneous Petition coming on for hearing on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.Muthuvel Ilayaraja, Advocate for the Petitioner and of Mr.K.Sanjay Gandhi Government Advocate (Crl Side)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 11.04.2022.

2.The learned counsel appearing for the petitioner would submit that his name was wrongly shown in the cause list, he has not appeared on that day 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.10565 of 2019 and also print the name of the counsel for the petitioner, **Mr.K.Muthuvai Ilayaraja instead of Mr.K.Muthuval Ilayaraja** and list the same in the usual course.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TO

- 1.The Superintendent of Police
Ramanathapuram District, Ramanathapuram.
- 2.The Inspector of Police
Kenikarai Police Station
Ramanathapuram District.
3. 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 : 20/06/2022

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FOR RESTYORATION

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CRL MP(MD). No.6286 of 2022

in

CRL OP(MD) No.10565 of 2019

Giving direction and etc.
as stated within.

srk(CO)
GC(29.06.2022) 2P 5C