



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction
Friday, the Twelfth day of August Two Thousand
and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD)No.11481 of 2021
in
CRL RC(MD)No.173 of 2015

C.Ramesh

... Petitioner/Accused

Vs

S.Sakthivel

... Respondent/Respondent

Prayer in Crl.MP(MD)No.11481 of 2021 :- Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C, to set as side the order passed in Crl.RC(MD)No.173/2015 dt.21.10.2019 and Restore the main Crl.RC(MD)No.173/2015 and thereafter to decide the same on merits.

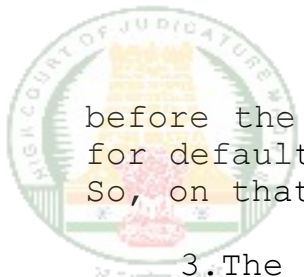
Prayer in Crl.RC(MD)No.173 of 2015:- Criminal Revision Case filed u/s 397 r/w 401 of the Code of Criminal Procedure, against the order dated 20.01.2014, passed by the learned II Additional Sessions Judge, Thoothukudi, in C.A.No.106 of 2013 confirming the conviction and sentence of the Judicial Magistrate, Fast Track Court (Magisterial Level), Thoothukudi, in C.C.No.112/2012 dated 10.12.2012.

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.KA.Ramakrishnan, Advocate for the Petitioner and Respondent not appeared either in person or by Advocate, this Court made the following order:-

This petition has been filed to restore the Criminal Revision Case in Crl.R.C.(MD)No.173 of 2015, which was dismissed for default on 21.10.2019.

2.The learned counsel for the petitioner submitted that due to non-appearance of the petitioner's counsel at the time of hearing

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before the Court, the said criminal revision petition was filed for default on 21.10.2019. Now, the petitioner changed the counsel. So, on that ground the above miscellaneous petition has been filed.

3.The petitioner's grievance is that he faced the trial for the offence under Section 138 of N.I. Act and he has preferred the revision against the concurrent Judgment of Conviction passed by the Trial Court as well as the Appellant Court. Hence, liberty may be given to the petitioner to put forth his arguments.

4.So, on that ground, the petition stands allowed.

5.Registry is directed to restore the Criminal Revision Case in Cr1.R.C.(MD)No.173 of 2015 and list the matter before this Court for final arguments on 02.09.2022.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/09/2022

Sub Assistant Registrar(CS)

To

1.The II Additional Sessions Judge,
Thoothukudi District.

2.The Judicial Magistrate,
Fast Track Court,
Thoothukudi.

Copy to:

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

ORDER DATED : 12/08/2022

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ORDER

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CRL MP(MD)No.11481 of 2021
in

CRL RC(MD)No.173 of 2015

Giving direction and etc.
as stated within.

MGJ(29.08.2022) 2P 4C

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