



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Revisional Jurisdiction

Thursday, the Tenth day of November Two Thousand and Twenty Two

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PRESENT

The Hon'ble Mr. Justice G. ILANGO VAN

CRL MP(MD). No.11649 of 2022

in

CRL RC(MD) No.198 of 2021

Murugan

... Petitioner/De-facto Complainant

Vs

1 The State repreented by
The Inspector of Police
Cumbum South Police Station
Theni District
Cr No.338/2017

... Respondent No.1/Complainant

2 S.Akbar Ali

3 Abuthahir

4 Ahamed Manub

5 Muhamad Idress

... Respondents 2 to 5/ Accused (1-4)

Prayer :- CRL MP(MD). No.11649 of 2022

Criminal Miscellaneous Petition filed under section 482 of Cr.p.c. To restore the main criminal revision filed by the petitioner in Crl RC No.198/2021 which was dismissed by this Hon'ble Court on the ground of non-prosecution on 22.04.2022 and further enable the petitioner to adjudicate the same in accordance with law

Prayer :- CRL RC(MD). No.198 of 2021

Criminal Revision Petition is filed under section 397 read with 401 of Cr.p.c. To call for the records pertaining to the order passed by the learned Judicial Magistrate, Uthamapalayam, Theni District in Cr.M.P.No.2363 pf 2020 dated 16.10.2020 and set aside the same and consequently direct the above said learned Magistrate to return the gold as interim custody to the petitioner and pass such any or other ordrs as this Hon'ble Court may deem fit and



proper in the circumstances of the case and thus render just

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.Rengaraju Advocate for the Petitioner and of Mr.S.Manikandan Government Advocate for the first respondent, and of Mr.T.Lajapathi Roy Advocate for the 5th Respondent, this Court made the following order:

"This petition is filed to restore the revision case in Crl.RC (MD)No.198 of 2021, which was dismissed for default.

2.The learned counsel for the petitioner submitted that the petitioner could not contact the earlier Advocate and due to non-appearance, the case was dismissed for default.

3.In view of the above, this petition is allowed and the main revision case is restored to file."

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/11/2022

Sub Assistant Registrar(CS)

TO

1. The Judicial Magistrate,
Uthamapalayam,
Theni District.
2. The Inspector of Police
Cumbum South Police Station
Theni District
Cr No.338/2017
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court, Madurai

Copy to:

The Section Officer,
Criminal Section/ Criminal Record
Madurai Bench of Madras High Court, Madurai(2 Copies)



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CRL MP(MD). 11649



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ORDER DATED : 10/11/2022
Hearing Date : 17/11/2022

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ORDER

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CRL MP(MD). No.11649 of 2022
in
CRL RC(MD)198 OF 2021

Giving direction and etc.
as stated within.

AMS(16.11.2022) 3P 6C