



Crl.R.C.(MD)No.965 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 09.11.2022

CORAM:

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.R.C.(MD)No.965 of 2022
and Crl.M.P(MD)No.11912 of 2022

T.Jeyakumar

... Petitioner

Vs

S.Vinoth

... Respondent

Prayer: This Criminal Revision Petition filed under Section 397 r/w 401 Cr.P.C., to call for the records pertaining to the order passed in Crl.M.P. No. 1836 of 2020 in CC No.137 of 2019, on the file of the Judicial Magistrate Court, Aruppukottai, Virudhunagar District, dated 06.07.2022.

For Petitioner : Mr.M.Prabhu

For Respondent : Mr.M.Jothimani



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ORDER

This Criminal Revision Petition has been filed to set aside the order dated 06.07.2022, passed by the Judicial Magistrate, Aruppukottai, Virudhunagar District, in Crl.M.P. No.1836 of 2020 in CC No.137 of 2019.

2.Heard both sides.

3.Only a limited issue is involved in this revision. It is the contention of the revision petitioner that he has neither filed counter nor made any submission before the trial Court. However, in the order copy, it has been stated that as if counter was filed by the respondent and his submission was also heard.

4.In this regard, the learned counsel for the respondent also submitted that though the revision petitioner has not filed any counter before the trial Court, he appeared and argued the matter.

5.On going through the order, it is stated that the counter was filed by the revision petitioner and his submission was also heard. It is a factual



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mistake in the order. Hence, this matter is remanded back to the trial Court. The trial Court is directed to give opportunity to both sides to put forth their case and decide the same on merits.

6.On the limited ground, this Criminal Revision Case is allowed.

Consequently, connected miscellaneous petition is closed.

09.11.2022

Index :yes/No
Internet:yes/No
PNM

To

The Judicial Magistrate,
Aruppukottai, Virudhunagar District



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G.ILANGO VAN,J.

PNM

ORDER IN

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09.11.2022