



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2022

CORAM :

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

Crl.O.P.(MD)No.17538 of 2019

and

Crl.M.P(MD) No.10399 of 2019

1. G.K.R.Tex
23/2, Anna 2nd Street,
Villapuram,
Madurai - 12.

2. G.K.Rajendran

... Petitioners

Vs.

M. Sethu Ramachandran
Through his Power Agent Sethupathi Rajan,
102, Main Road,
Avaniyapuram,
Madurai - 12.

... Respondent

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and set-aside the order passed by the learned IV Additional District & Sessions Judge, Madurai in Crl.R.C.No.39 of 2017, dated 27.11.2018 by confirming the order passed by the learned Judicial Magistrate No.II, (Fast Track Court, Judicial Magistrate Level) Madurai in Cr.M.P.No.2003 of 2017, dated 06.09.2017 by allowing this petition.

For Petitioners	: No Appearance
For Respondent	: Mr.A.Jeyaram

ORDER

This Criminal Original Petition has been filed to set-aside the order passed by the learned IV Additional District & Sessions Judge, Madurai, in Crl.R.C.No.39 of 2017, dated 27.11.2018 by confirming the order passed by the learned Judicial Magistrate No.II, (Fast Track Court, Judicial Magistrate Level) Madurai, in Cr.M.P.No.2003 of 2017, dated 06.09.2017.

2. The learned counsel for the respondent would submit that since the revision petition in Crl.R.C.No.39 of 2017 was filed under Section 397 Cr.P.C before the learned IV Additional District and Sessions Judge, Madurai, and the same was dismissed, a petition



cannot be filed under Section 482 of Cr.P.C, before this Court challenging the order passed in the Criminal Revision Petition. Therefore, this Criminal Original Petition is not maintainable.

3. When the matter was taken up for hearing, there was no representation for the petitioners on 01.03.2022. Hence, the matter was posted on 18.03.2022 under the caption "for final disposal". Even today there is no representation for the petitioners.

4. Therefore, this Criminal Original Petition is dismissed for default. Consequently the connected Criminal Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Cs-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ebsi

Note In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The learned IV Additional District & Sessions Judge,
Madurai.

2. Judicial Magistrate No.II,
(Fast Track Court, Judicial Magistrate Level)
Madurai

+1 CC to M/s.A.JEYARAM, Advocate (SR-13576[F] dated 22/03/2022)

Cr1.O.P. (MD)No.17538 of 2019

and

Cr1.M.P (MD) No.10399 of 2019

18.03.2022

KG (CO)

KB (06.04.2022) 2P 4C