



WEB COPY



CrI.O.P.No.21163 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2023

CORAM:

THE HON'BLE MR.JUSTICE **SUNDER MOHAN**

CrI.O.P.No.21163 of 2019 and
CrI.M.P.No.10933 of 2019

1.S.Subramaniam, Administrative Officer,
S/o. Samiyappan

2.Aravindasan, Security Guard,
S/o.Madhusuddhanan
Both petitioner communication address at
C/o.P.K.P.TEX Unit II,
Door No.8/223-B2, A.V.P.Road, near Kalaivani Theatre,
Angeripalayam Road,
Tirupur, Tamilnadu-641 003. ... Petitioner

Vs.

1.State Rep. by
The Inspector of Police,
Anuparpalayam Police Station,
Tirupur-641 603.

2.N.Sivakumar
S/o.Late Nallasamy ... Respondents

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records and quash S.T.C. No.546 of 2013 order dated 05.12.2014 on the file of the Judicial Magistrate – 1, Tirupur, insofar as the petitioner is concerned.



WEB COPY



CrI.O.P.No.21163 of 2019

For Petitioners : No appearance

For Respondents : Mr.A.Damodaran,
Addl. Public Prosecutor for R1

No appearance for R2

ORDER

This Court by order dated 29.08.2019 called for the report from the first respondent as well as the learned Judicial Magistrate 1, Tirupur as to how a conviction was recorded by the Magistrate when it is the case of the petitioners that they were not present before the Court on that day. Pursuant to the directions of this Court, the learned Judicial Magistrate 1, Tirupur, has filed a report dated 23.10.2019 stating that the accused who faced trial in S.T.C.No.546 of 2013, were convicted on 05.12.2014 on the basis of their admission. The report further states that the case records do not contain the admission petitions or record of examination of accused, or summons issued to them.

2. Learned Additional Public Prosecutor sought time to file a status report.

3. When the matter was listed on 06.03.2023, there was no



CrI.O.P.No.21163 of 2019

representation for the petitioners. Therefore, the matter was posted today under the caption 'for dismissal'. Even today, there is no representation for the petitioners.

4. Hence, this Criminal Original Petition is dismissed for non-prosecution. Consequently, connected miscellaneous petition is closed.

07.03.2023

Index: Yes/No

Speaking / Non Speaking Order

kal

To

1.The Judicial Magistrate – 1, Tirupur.

2.The Inspector of Police,
Anuparpalayam Police Station,
Tirupur-641 603.

3.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J

kal



WEB COPY



Crl.O.P.No.21163 of 2019

Crl.O.P.No.21163 of 2019 and
Crl.M.P.No.10933 of 2019

07.03.2023