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Crl.M.P.No.19233 of 2022

Crl.M.P.No.19233 of 2022

in

Crl.O.P.No.10340 of 2022

G.CHANDRASEKHARAN.J.

This petition is filed to restore the Crl.O.P.No.10304 of 2022, the same was dismissed for default in non-prosecution on 13.07.2022 and restore the same.

2. The learned counsel for the petitioner submitted that when the matter was listed for hearing on 13.07.2022, the learned counsel for the petitioner not appeared for the reason that he was engaged in other Court.

3. In response, the learned Government Advocate (Crl. Side) submitted that Crl.O.P.No.10340 of 2022 was dismissed on two occasions ie., on 06.06.2022 and 13.07.2022 for non-prosecution.

4. This Court on going through the orders passed in Crl.O.P.No.10340 of 2022 on 06.06.2022 and 13.07.2022 finds that on both occasions the petition was dismissed for the reason that there was no representation on behalf of the



Crl.M.P.No.19233 of 2022

petitioner. The reason stated by the learned counsel for the petitioner is that he was engaged in other Court and meanwhile the case came to be dismissed on both the occasions cannot be accepted.

5. In view of the above, this Court finds that there is no merits in the petition for restoring Crl.O.P.No.10340 of 2022 which was dismissed for non-prosecution.

6. Accordingly, this Criminal Miscellaneous Petition is dismissed.

31.01.2023

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