



WEB COPY



Crl.MP No.19170 of 2

Suo Motu Crl.RC No.1419 of 2023

Crl.MP No.19170 of 2023
in
Suo Motu Crl.RC No.1419 of 2023

DR.G.JAYACHANDRAN, J.

This Court vide order dated 10.08.2023 in exercise of the powers under Section 397 Cr.P.C., had caused notice to the petitioner herein in respect of Special Case No.3 of 2022 on the file of the Principal District Court, Vellore. The said order was challenged by this petitioner by way of SLP before the Hon'ble Supreme Court, in which the Supreme Court has permitted the learned Judicial Officer who has passed the order of acquittal to submit her response to the observations made in paragraph-12 of the impugned order of the learned Single Judge. Accordingly, the said learned Judicial Officer has submitted her response to the Registrar-General of the High Court of Madras and the same has been placed before this Court.

2. In this application Crl.MP No.19170 of 2023 K.Ponmudi/Respondent No.2/Accused No.1 sought for copy of the response filed by the learned Judicial Officer. This petition was returned by the Registry with an endorsement that revision was taken as Sua Motu by the



High Court and therefore, the present Criminal Miscellaneous Petition is not maintainable. Hence the present Criminal Miscellaneous Petition been re-presented with an explanation that it is essential for the petitioner to put-forth his defence. The Sua Motu Revision taken by this Court and the order dated 10.08.2023 consists of two parts. The first part regarding the decision to transfer the case from one Sessions Division to another Sessions Division and the second part is the manner in which the case came to an end, by an order of acquittal rendered by the later Court.

3. The response of the learned Judicial Officer is in respect of the observations made by the Court in the second part of the order dated 10.08.2023, undoubtedly, this should be made known to the respondents 2 and 3, so that effective submissions of defence can be put-forth by them. Though they are not the author of the order of acquittal, but the order speaks about them. Hence, the present Criminal Miscellaneous Petition is allowed. The Registry is directed to furnish the copy of the response filed by the learned Judicial Officer on payment of necessary charges.



Crl.MP No.19170 of 2

Suo Motu Crl.RC No.1419 of 2023

4. Call the matter on 12.12.2023 at 02.15 P.M.

05-12-2023

Svn



WEB COPY



Crl.MP No.19170 of 2

iii

Suo Motu Crl.RC No.1419 of 2023

DR.G.JAYACHANDRAN, J.

Svn

Crl. MP No.19170 of 2023

in

Suo Motu Crl.RC No.1419 of 2023

05-12-2023