



Crl.R.C.(MD).No.106 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.01.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

Crl.R.C.(MD).No.106 of 2023

and

Crl.M.P(MD) No.1548 of 2023

Manikandan

.. Petitioner / Petitioner

Vs.

The Inspector of Police,
Aruppukkottai Taluk Police Station,
Virudhunagar District.
Crime No. 54 of 2018.

.. Respondent / Petitioner

PRAYER: This Civil Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records relating to the order dated 10.10.2022 made in Crl.M.P.No.4017 of 2022 on the file of the Judicial Magistrate, Aruppukkottai and to set aside the same and allow the revision petition.

For Petitioner : Mr. V.Vishnu

For Respondent : Mr. M.Sakthi Kumar
Government Advocate (Crl. Side)



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ORDER

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This Criminal Revision Case has been filed to call for the records relating to the order dated 10.10.2022 made in Crl.M.P.No.4017 of 2022 on the file of the Judicial Magistrate, Aruppukkottai and to set aside the same and allow the revision petition.

2. The very perusal of the petition that was filed by the respondent herein before the trial Court shows that the casual manner in which the above said matter has been dealt by the concerned Inspector of Police. Just they filled up the blanks in a print out in a standard format and presented the same before the trial Court, that was also considered by the trial Court and the order has been passed.

3. The learned Government Advocate (Crl. Side) would submit that permission may be granted to the respondent herein to file proper affidavit along with the petition before the concerned Court.

4. On the above said ground, the above said order is set aside and the matter is remitted back to the trial Court. The liberty is granted to the respondent to file proper affidavit mentioning the facts and circumstance of



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this case, dates and events which cause the delay in filing the final report. If such petition is filed, opportunity must also be given to the revision petitioner to put forth his defence. After hearing both sides, the order must be passed by the trial Court on merits.

5. The respondent is directed to file the affidavit along with the petition before the trial Court within 15 days from the date of receipt of copy of this order. On receipt of notice, the revision petitioner may also appear before the concerned Court.

6. With the above said direction, this Criminal Revision Case is allowed and the matter is remitted. Consequently the connected Miscellaneous Petition is closed.

31.01.2023

NCC:Yes/No

Index : Yes / No

Internet : Yes / No

Indu



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G.ILANGOVA, J.

Indu

To

1. The Inspector of Police,
Aruppukkottai Taluk Police Station,
Virudhunagar District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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