



CrI.R.C.(MD).No.260 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CrI.R.C.(MD).No.260 of 2023

Edward George

... Petitioner/Complainant

Vs.

1.The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell,
Thoothukudi, Thoothukudi District.

... 1st Respondent/Respondent

2.Udhayakumar

3.Mookkaiah

4.Mani

5.Akash Louis

6.Subha

7.Grace Dhanapackiam

8.Sironmani

9.Punniya Kala

10.Arulkumar

... Respondents 2 to 10/Accused



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PRAYER: This Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records and set aside the order dated 27.01.2023 passed in Cr.M.P.No.1040 of 2022 on the file of the learned Judicial Magistrate Special Court for Land Grabbing Cases Thoothukudi, Thoothukudi District.

For Petitioner : Mr.C.Suresh Kannan

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

ORDER

This criminal revision case has been preferred to set aside the order dated 27.01.2023 passed in Cr.M.P.No.1040 of 2022 on the file of the learned Judicial Magistrate Special Court for Land Grabbing Cases Thoothukudi, Thoothukudi District.

2.This criminal revision has been preferred against the cryptic order that has been passed by the trial Court, wherein, closure was ordered even without discussing the factual facts and circumstances and the reliability of the report received by them. It is also seen that no notice was also issued to the petitioner to make any protest. In view of the above said cryptic order, this Court is inclined to set aside the above said order.



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3. Accordingly, the order dated 27.01.2023, passed in Cr.M.P.No.1040 of 2022, on the file of the learned Judicial Magistrate Special Court for Land Grabbing Cases Thoothukudi, Thoothukudi District, is hereby set aside. The matter is remanded back to the trial Court. The trial Court shall restore the same to the file and pass a detailed order with reason on its own merits by giving opportunity to the petitioner.

4. With the above said directions, this criminal revision case has been disposed of.

03.03.2023

Index : Yes / No
Internet : Yes / No
TM

To

1. The Judicial Magistrate Special Court for Land Grabbing Cases
Thoothukudi, Thoothukudi District
2. The Inspector of Police,
District Crime Branch,
Anti Land Grabbing Special Cell,
Thoothukudi, Thoothukudi District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J.

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