



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction

Tuesday, the Thirty First day of January Two Thousand and Twenty
Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) . No.7877 of 2022
in
Crl.O.P.(MD)No.16703 of 2017

M. Syed Ibrahim

... Petitioner/Petitioner

Vs

A. Sheik Tarik @ Abdul Azis

... Respondent/Respondent

Prayer in CRL MP(MD) . No.7877 of 2022:-

Criminal Miscellaneous Petition filed Under Section 482 of Cr.P.C, to set aside the dismissed for non prosecution order dt 24.02.2022 passed in the above Crl.O.P.(MD).No.16703/2017 and restore the said Criminal Original Petition on file and thus render justice.

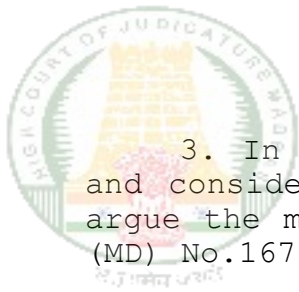
Prayer in Crl.O.P.(MD)No.16703 of 2017:-

Criminal Original Petition filed under Section 482 of Cr.P.C, to call for the entire records pertaining in C.C.No.200 of 2013 on the file of the learned Judicial Magistrate No.II, Dindigul and quash the same.

ORDER:- This Criminal Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr. K. Chengiz Khan, Advocate for the Petitioner and of Mr. S. Vanchinathan, Advocate for the respondent, this Court made the following order:

This petition is filed to restore the Original Petition in Crl.O.P (MD)No.16703 of 2017, which was dismissed for non prosecution on 24.02.2022.

2.The learned counsel for the petitioner submitted that the Criminal Original Petition is dismissed due to non-appearance and the main petition was filed to quash the proceedings in C.C.No.200 of 2013 on the file of the learned Judicial Magistrate No.II, Dindigul.



3. In view of the defect that has been expressed by the petitioner and considering the view that chance may be given to the petitioner to argue the matter on merit, this petition is allowed and the main Crl.O.P (MD) No.16703 of 2017 is restored to file.

Sd/-

Assistant Registrar(C.O)

// True Copy //

/02/2023

Sub Assistant Registrar(CS)

TO

The Judicial Magistrate No.II,
Dindigul.

Copy to:

1. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court, Madurai.
2. The Section Officer,
VR Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 31/01/2023

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ORDER
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CRL MP(MD) . No.7877 of 2022
in
Crl.O.P.(MD)No.16703 of 2017

Giving direction and etc.
as stated within.

SS/(13.02.2023) 2P 5C