



CRL MP(MD) No.6205 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Thirteenth day of September Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL MP(MD) No.6205 of 2023

IN

CRL OP(MD) No.23621 of 2014

1 Ramasamy

2 Sakunthala

3 Dhanapalan

4 Annamalai

5 Jeyapandian

... Petitioners / Petitioners

Vs

1 Murugan

... Respondent / Respondent

Prayer:-

Criminal Miscellaneous Petition Under Section 482 Cr.P.C. to restore the criminal original petition in Crl.OP(MD) No.23621 of 2014 which was dismissed for non prosecution on 22.07.2019.



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Prayer in CRL OP No.23621 of 2014:

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Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records relating to the Charge Sheet in S.T.C. No.6016 of 2014 on the file of the learned Judicial Magistrate No.I, Sivagangai and quash the same.

Order : This 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 M/S.LENIN KUMAR T, Advocate for the petitioner and of Mr.B.Ramanathan, Advocate for the first respondent, this Court made the following order:-

This Criminal Miscelaneous Petition is filed to restore the the Criminal Original Petition in Crl OP(MD) no.23621 of 2014 which was dismissed for non prosecution on 22.07.2019.

2. When the matter is taken up for hearing today there is no representation on behalf of the respondent.

3. The learned Counsel appearing for the petitioners would contend that the main case was filed to quash the charge sheet in STC No.6016 of 2014 on the file of the learned Judicial Magistrate No.I, Sivagangai and when the case was posted for



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hearing on 22/07/2019, the learned counsel for unable to appear before the Court and thereby the case was dismissed and the said fact was not informed to the petitioner. Thereafter while engaging another counsel he came to understand that the case was dismissed on 22.07.2019 for non prosecution.

4. Considering the above said reasons stated in the affidavit and considering the facts and circumstances of the case this petition is allowed the Criminal Original Petition is restored to file.

5. Post the main case for final hearing on 22.09.2023.

Sd/-

Assistant Registrar(CS II)

// True Copy //

/09/2023

Sub Assistant Registrar(CS)

TO

1. The Judicial Magistrate No.I,
Sivagangai.
2. The Chief Judicial Magistrate,
Sivagangai.



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The Section Officer,
Criminal Section Records,
Madurai Bench of Madras High Court,
Madurai. (2 Copies)

ORDER DATED : 13/09/2023

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ORDER

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CRL MP(MD). No.6205 of 2023
in
CRL OP(MD). No.23621 of 2014

Giving direction and etc.
as stated within.

KSR/25.09.2023 4P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023