



CRL MP(MD) No.9540 of 2023

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

Friday, the Eleventh day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CrI.M.P.(MD).No.9540 of 2023
in
CrI.RC.(MD).SR.No.17041 of 2023

BHACKIARAJ

... PETITIONER/PETITIONER

Vs

ANTONY RAJ

... RESPONDENT/RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to condone the delay of 73 days in filing this CrI.R.C. against in CrI.M.P.No.5214 of 2019 on the file of the Fast Track Court(Magistrate Level),Thoothukudi dated 02.11.2022 and thus render justice.

PRAYER IN CrI.RC.(MD).SR.No.17041 of 2023:

To call for the records pursuant to the order passed in Cr.M.P.No.5214 of 2019 on the file of the Fast Track Court(Magistrate Level), Thoothukudi dated 02.11.2022 and set aside the same.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.JEGADEESWARAN. R, Advocate for the petitioner, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to condone the delay of 73 days in filing this Criminal Revision Case, against in CrI.M.P.No.5214 of 2019 on the file of the Fast Track Court (Magistrate Level), Thoothukudi, dated 02.11.2022.



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2. Today (11.08.2023), when the matter was taken up for hearing, the learned counsel for the petitioner filed a proof of service stating that the respondent passed away, which reads as follows:

"1. I submit I am the petitioner counsel herein and I am filing of this proof of service of notice to the respondent.

2. I sent private notice through registered post along with RPAD and the same was not received by the respondent stating that the respondent is deceased. I have enclosed postal cover. Hence I could not serve the same."

3. In view of the above submission and proof of service filed by the learned counsel for the petitioner, this Criminal Miscellaneous Petition is dismissed as abated.

sd/-
11/08/2023

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/08/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SBN

<https://www.mhc.tn.gov.in/judis>



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TO
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1. THE FAST TRACK COURT(MAGISTRATE LEVEL),THOOTHUKUDI
2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
THOOTHUKUDI.

ORDER
IN
CrI.M.P.(MD).No.9540 of 2023
in
CrI.RC.(MD).SR.No.17041 of 2023
Date :11/08/2023

RK /VRS(22/08/2023) 3P / 3C

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