



CRL MP(MD) No.sr40442 of 2023

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

Friday, the Twenty Fourth day of November Two Thousand and Twenty Three

PRESENT

The Hon'ble Mr.Justice G.K.ILANTHIRAIYAN

CRL MP(MD) No.sr40442 of 2023 in CRL.RC(MD).No. 120 of 2018

1. Kalaiselvi,

W/o.Veerapathiran, Sanitary Inspector,

Sanitary Section, Rajapalayam Ward Office,

Melapalayam, Tirunelveli-5.

...Petitioner/Petitioner

- Vs. -

1. Sivasubramanian,

S/o.Arunachalam Thevar,

D.No.1/1a, 1st Floor, Kattalai Street,

Vaiyapuri Nagar,

Tirunelveli Town.

...Respondent/Respondent

Prayer in CRL.MP(MD).SR.No.40442 of 2023:

This Petition filed under Section 362 of Cr.P.C., praying this Court to recall the order passed in Crl.RC(MD).No.120 of 2018, dated 25.04.2023.

Prayer in CRL.RC(MD).No.120 of 2018:

This Criminal Revision Petition has been filed under Section 397 r/w 401 r/w 482 of Cr.P.C., to call for the records of the learned I Additional District and sessions Judge, Tirunelveli in CA.No. 7 of 2015, dated 13.11.2017 partly allowed to pay the compensation amount of Rs.2,00,000/- and confirmed the default sentence to undergo one month simple imprisonment if the compensation amount is not paid within one month from the date of the judgment for an offence under Section 138 of the negotiable Instruments Act by the learned Judicial Magistrate No.IV, Tirunelveli in S.T.C. No.2880 of 2007, dated 18.12.2014 and set aside the same.



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ORDER: This Petition coming under the caption "For Maintainability on this day and
WEB COPY upon perusing the petition and the affidavit filed in support thereof and the petitioner has not appeared either in person or by an advocate, this court made the following order:

Today the matter is listed under the caption "for maintainability".

2. This petition has been filed to recall the order passed in Crl.R.C.(MD) No.120 of 2018, dated 25.04.2023.

3. On perusal of the records, this Court finds no infirmity or illegality in the order passed by this Court in Crl.R.C. (MD) No.120 of 2018 dated 25.04.2023. That apart, the present petition to recall the above said order is nothing but to review the order passed by this Court. Therefore, it cannot be recalled and this petition is not maintainable.

4. In view of the above, this Criminal Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/12/2023

Sub Assistant Registrar(CS)

TO

1.The I Additional District and Sessions Judge, Tirunelveli.



CRL MP(MD) No.sr40442 of 2023

2.The Judicial magistrate no.IV, Tirunelveli

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Copy to

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

ORDER DATED 24/11/2023

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ORDER

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CRL MP(MD) No.SR40442 of 2023
and

CRL.RC(MD).No. 120Of 2018

Giving direction and etc.,
as stated within

KB(11.12.2023) 3P 4C