



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

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

PRESENT

The Hon`ble Mr.Justice P. DHANABAL

CRL MP(MD) No.12536 of 2023

IN

CRL OP(MD) No.19353 of 2019

TAM.ABUDL JAFFAR

... PETITIONER / PETITIONER

Vs

SAKILABANU

... RESPONDENT / RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to set aside the order dated 20.07.2023 passed in Crl.OP(MD)No.19353 of 2019 dismissing the criminal original petition for non prosecution and restore the above criminal original petition for adjudication

Prayer in CRL OP(MD). 19353/ 2019 :

This Criminal Original Petition has been filed under Section 482 of Cr.P.C praying to call for records and quash the proceedings initiated by the respondent herein in M.C.No.06 of 2019 on the file of the District Munsif cum judicial Court, Thiruppathur against the petitioner herein for the offence under section 125 of Cr.P.C.

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 M/S.A.Arul Jenifer, Advocate for M/S.KBS LAW OFFICER for the petitioner and of Mr.P.Venkata Subramanian, Advocate on behalf of the Respondent, the court made the following order:-



The petitioner has filed this petition to restore the order, which was dismissed for non-prosecution, dated 20.07.2023.

2. The learned counsel appearing for the respondent has no objection in allowing this application.

3. In view of the reasons stated by the petitioner in the affidavit that since the counsel on record has been designated as Senior Advocate, his name was not printed in the cause list, therefore the matter could not be represented by another counsel, this petition is allowed and the order dated 20.07.2023 is set aside.

sd/-
27/09/2023

/ TRUE COPY /

/10/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE DISTRICT MUNSIF CUM
JUDICIAL MAGISTRATE, THIRUPPATHUR,
SIVAGANGAI DISTRICT.

2 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER DATED : 27/09/2023

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ORDER

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CRL MP(MD) No.12536 of 2023

IN

CRL OP(MD) No.19353 of 2019

Giving direction and etc.
as stated within.

MK/10.10.2023 3P 3C

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