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CrI.R.C.(MD).No.122 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.03.2023

CORAM

THE HONOURABLE MR. JUSTICE G.ILANGO VAN

CrI.R.C.(MD).No.122 of 2023

Ravichandran

... Petitioner/Defacto Complainant

Vs.

1.The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
(Crime No.195 of 2018)

... 1st Respondent/Complainant

2.The Inspector of Police,
CBCID,
Tirunelveli District.

... 2nd Respondent/2nd Respondent

PRAYER: This Criminal Revision Case is filed under Sections 397 r/w 401 of the Criminal Procedure Code, to call for the records of pertaining to the order passed by the learned Judicial Magistrate Court, Ambasamudram, Tirunelveli District, in CrI.M.P.No.673 of 2022 in Crime No.195 of 2018, dated 26.05.2022 and set aside the same.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondent : Mr.B.Nambiselvam
Additional Public Prosecutor.



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ORDER

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This criminal revision case has been preferred to set aside the order passed by the learned Judicial Magistrate, Ambasamudram, Tirunelveli District, in Crl.M.P.No.673 of 2022 in Crime No.195 of 2018, dated 26.05.2022.

2. Whether any protest petition was filed by the petitioner or not was required to be clarified by the learned Additional Public Prosecutor. The learned Additional Public Prosecutor would submit that even though protest petition was filed by the petitioner before the concerned Court, the order has been passed on 26.05.2022. Reading of the order shows that there is no indication to the effect that protest petition was filed by the petitioner and that was considered. So report was called for from the concerned Court and report was also received. That report also does not have any indication as to whether any protest petition was filed by the petitioner or not.

3. Without expressing any opinion on the outcome of the enquiry, the matter is remanded back to the trial Court. The trial Court is directed to restore the same to its file and consider the petition in accordance with law and pass appropriate reasoned orders, by giving opportunity to the



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petitioner.

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4.With the above said directions, this criminal revision case is disposed of.

03.03.2023

Index : Yes / No
Internet : Yes / No
TM

To

1.The Judicial Magistrate, Ambasamudhiram.

2.The Inspector of Police,
V.K.Puram Police Station,
Tirunelveli District.
(Crime No.195 of 2018)

3.The Inspector of Police,
CBCID,
Tirunelveli District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGOVAN,J.

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