



Crl.O.P.No.2900 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.2900 of 2024

and

Crl.M.P.Nos.2114 & 2116 of 2024

M/s.Royal Engineering Company,
represented by its Proprietor Mrs.S.Sannthi
Plot No.6, Electrical Industrial Estate,
Kakkalur - 602 003.
Thiruvallur Taluk & District.

... Petitioner

Vs.

A.Adalarasan
S/o.V.Arumugam

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for records in C.C.No.1452 of 2020 (Old C.C.No.5278 of 2017) pending on the file of Fast Track Court II, Allikulam, Egmore, Chennai and quash the same.

For Petitioner : Mr.S.Kathiravan

ORDER

This quash petition has been filed mainly on the ground that the complaint was dismissed for default on 26.11.2018 and thereafter, it was restored by an order dated 10.12.2018. Thereafter, the arguments were



Crl.O.P.No.2900 of 2024

heard and the case is now at the stage of passing judgment. At this stage, learned counsel for petitioner submitted that the complaint that was dismissed under Section 256 Cr.P.C. cannot be restored and therefore, the Court below does not have the jurisdiction to hear this case.

2. In the considered view of this Court, the restoration had taken place in the year 2018 and that issue has now been raised in the year 2024. This issue can be raised before the Court below and the very jurisdiction of the Court to restore the complaint and to hear the complaint can be dealt with by the Court below. Except giving this liberty, no further orders can be passed in this petition.

This Criminal Original Petition is disposed of in the above terms. Consequently, connected miscellaneous petitions are closed.

12.02.2024

Note: Issue order copy by 13.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

gm



Crl.O.P.No.2900 of 2024

To
WEB COPY

The Fast Track Court II,
Allikulam, Egmore, Chennai.

N.ANAND VENKATESH, J.



WEB COPY



Crl.O.P.No.2900 of 2024

gm

Crl.O.P.No.2900 of 2024

12.02.2024