



Crl.R.C.No.512 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.03.2024

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.R.C.No.512 of 2022

and

Crl.M.P.No. 5211 of 2022

N.Sivakumar

... Petitioner

Vs.

The State,
rep. by the Inspector of Police,
City Crime Branch,
Coimbatore.

... Respondent

PRAYER : Criminal Revision Case filed under Section 397 and 401 of the Code of Criminal Procedure, to set aside the order dated 03.03.2022 made in Crl.M.P.No. 10082 of 2021 in C.C.No. 1900 of 2020 on the file of Judicial Magistrate No.VII, Coimbatore.

For Petitioner : Mr.J.Jayan for
Mr.P.Saravana Sowmiyan

For Respondent : Mr.S.Vinoth Kumar,
Govt. Advocate (Crl. Side)



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ORDER

Challenging the order passed in Crl.M.P.No. 10082 of 2021 in C.C.No.1900 of 2020 by the Judicial Magistrate No.VII, Coimbatore, the Revision Petitioner preferred this Criminal Revision Petition.

2. Heard both sides.

3. The petitioner is arrayed as Accused in the F.I.R. in Crime No.28 of 2020 registered for an offence under Sec.409 and 420 of I.P.C. based on the complaint given by the 2nd respondent/defacto complainant. Subsequently, the charge sheet has been filed and the same was taken on file in C.C.No.1900 of 2020 on the file of Judicial Magistrate No.VII, Coimbatore and the same is pending. However, he has filed a petition before the trial court seeking to discharge him from the proceedings initiated in the said charge sheet and the same was dismissed on 03.03.2022. Now, challenging the same, the petitioner filed this Criminal Revision Case.

4. Today, when the matter taken up for hearing, learned Government Advocate (Crl. Side) appearing for respondent would submit



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that out of 7 witnesses, already 5 witnesses were examined and all the witnesses were cross-examined by the petitioner. Hence, no further adjudication required in this Criminal Revision case and the same may be closed.

5. In view of his submissions that out of 7 witnesses, already 5 witnesses were examined and they were cross-examined by the petitioner, at this stage, I am not inclined to set aside the order passed in Cr.M.P.No. 10082 of 2021 in C.C.No. 1900 of 2020. However, liberty is granted to the petitioner to raise all his defence before the trial court. Accordingly, this Criminal Revision Case is closed. Consequently, connected Criminal Miscellaneous Petition is also closed.

15.03.2024

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To

1. Inspector of Police, City Crime Branch, Coimbatore.
- 2, The Public Prosecutor, High Court, Madras.

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T.V.THAMILSELVI, J.

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