



Crl.A.No.1159 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMAL KUMAR

Crl.A.No.1159 of 2023

P.Ratnakumari

... Appellant

Vs.

Marri Mounkia

... Respondent

Prayer: Criminal Appeal filed under Section 372 of Cr.P.C. to set aside the acquittal order passed in C.C.No.10507 of 2014 dated 07.07.2017 by the Metropolitan Magistrate, FTC-1, Allikulam, Egmore.

For Appellant : Mr.B.Srinivasan

JUDGMENT

This Criminal Appeal is filed against the order of acquittal passed by the learned Metropolitan Magistrate, FTC-1, Allikulam, Egmore in C.C.No.10507 of 2014 dated 07.07.2017.



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2.Learned counsel for the appellant submitted that no notice was issued to the petitioner for his appearance, there is no proof that notice was served to the petitioner in D.No.451 of 2017 and the case in C.C.No.10507 of 2014 was dismissed for prosecution acquitting the accused under Sections 256(1) and 204(4) Cr.P.C.

3.As per the ordinance issued, now the jurisdictional court is at Hyderabad. The substantial justice would be rendered only after full-fledged trial and the case cannot be dismissed merely on technicalities. In view of the same, the Criminal Appeal stands allowed, C.C.No.10507 of 2014 is directed to be transferred to Miyapur Kukatpally, Ranga Reddy District, Hyderabad and the concerned Court thereafter to dispose of the case on merits and in accordance with law.

14.02.2024

Index : Yes/No
Speaking Order/Non Speaking Order
Neutral Citation: Yes/No
cse



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To

The Metropolitan Magistrate,
FTC-1,
Allikulam, Egmore.



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M.NIRMAL KUMAR, J.

cse

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