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Crl.O.P.No.26345 of 2024
in Crl.A.Sr.No.53849 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09-12-2024**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL OP. 26345 of 2024
AND
CRL A SR. 53849 OF 2024

K.A.MATHIAZHAGAN
S/O. K.N. ARUMUGAM, NO. 484, SATHIYA MOORTHY
STREET, CHEYYAR,
THIRUVANNAMALAI DISTRICT 604 407

APPELLANT(S)

Vs

DILHI RAJAN
S/O. VEDAPURI, NO. 35/12, NEHRU STREET, CHEYYAR
TOWN AND TALUK,
THIRUVANNAMALAI DISTRICT 604 407

RESPONDENT(S)

For Appellant(s):

K. G.SENTHIL KUMAR
S. VINOTHKUMAR
M. SURESHSANKAR
AFFIDAVIT OF SERVICE FILED

For Respondent(s):

PVT.NOTICE - SERVED
DILHI RAJAN S/O. VEDAPURI, NO. 35/12, NEHRU
STREET, CHEYYAR TOWN AND TALUK,
THIRUVANNAMALAI DISTRICT 604 407

ORDER

The petitioner seeks leave to file an appeal against the order dismissing his complaint for non-prosecution and consequential acquittal of the respondent.



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in Crl.A.Sr.No.53849 of 2024



2. The learned counsel for the petitioner would submit that on previous hearings, he was represented by a counsel and only on 06.09.2024 neither the petitioner nor his counsel could be present; that the learned Magistrate had not sent a notice of hearing to the complainant; and that therefore, the order of the trial Court is liable to be set aside.

3. The points raised by the petitioner require consideration by this Court and hence, leave is granted to file an appeal.

4. Registry is directed to number the appeal and post for admission, if it is otherwise in order.

09.12.2024

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To

1. DILHI RAJAN
S/O. VEDAPURI, NO. 35/12, NEHRU STREET, CHEYYAR TOWN AND
TALUK, THIRUVANNAMALAI DISTRICT 604 407



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Crl.O.P.No.26345 of 2024
in Crl.A.Sr.No.53849 of 2024

SUNDER MOHAN, J.

ars

Crl.O.P.No.26345 of 2024
in Crl.A.Sr.No.53849 of 2024



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