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Crl.M.P.No. 3352 of 2024

in

Crl.O.P.No.8509 of 2015

T.V.THAMILSELVI, J.

This Criminal Original Petition has been filed to restore the Crl.O.P.No.8509 of 2015, which was dismissed for default on 11.03.2020.

2. Mr.S.Prabhakar, learned counsel for petitioner would submit that when the matter came up for hearing on 11.03.2020, there was no representation on behalf of petitioner and only due to Covid-19 pandemic, he was not able to give instructions. Accordingly, the matter was called and dismissed for default on that day. Now, the petitioner filed this petition to restore the aforesaid Crl.O.P.

3. Mr.S.Vinoth Kumar, learned Government Advocate (Crl. side) appearing for 1st respondent raised strong objections stating that the said petition was dismissed on 11.03.2020 and after relaxation of covid-19 pandemic, the petitioner ought to have filed this petition, but nearly about 3 years later, he filed this petition without any proper reasons. Hence, he prayed to dismiss this petition.



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4. It is true that the petition was dismissed on 11.03.2020 during Covid-19 pandemic period and after relaxation of pandemic, the petitioner ought to have filed the petition to restore the same, but nearly about 3 years later, he filed this petition, as such is not acceptable one. However, as per submissions made by the Government Advocate, now the investigation was completed and a final report was also filed. Originally, the prayer sought by the petitioner to quash the F.I.R. in Crime No. 45 of 2015, but now the final report is ready to submit before the trial court. Therefore, I am not inclined to allow this petition. Accordingly, this Criminal Miscellaneous Petition is dismissed. Liberty is granted to the petitioner to file a petition and take steps to work out his remedy with regard to the final report.

27.02.2024

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