



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Original Jurisdiction)

WEB COPY

Monday, the Fifteenth day of April Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice A.A.NAKKIRAN

CRL MP(MD) No.4353 of 2024

IN

CRL OP(MD) No.12398 of 2022

M.POOSATHURAI

... PETITIONER / PETITIONER

Vs

SURESHKUMAR

... RESPONDENT / RESPONDENT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to set aside the order of dismissing the Criminal Original Petition for default dated 11.12.2023 made in Crl.O.P.(MD).No.12398 of 2022 and restore the same.

Prayer in CRL OP(MD). 12398/ 2022 :

Criminal Original Petition filed under section 482 of Cr.P.C praying to call for the records pending on the file of the Learned Judicial Magistrate Court,Tenkasi in STC.No.397 of 2022 and quash the same as illegal.

Order : This Miscellaneous petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.RAGAVENTHRE.S, Advocate for the petitioner and of Mr.R.J.Karthic, Advocate on behalf of the Respondent, the court made the following order:-

The above petition has been filed seeking orders to restore the appeal in

Crl.OP(MD)No.12398 of 2022, which was dismissed for default on 11.12.2023.

<https://www.mhc.tn.gov.in/judis>



WEB COPY

2. Heard the learned counsel appearing for the petitioner and the learned counsel for the appearing for the respondent.

3. It is seen from the order of this Court dated 11.12.2023 that though the matter was listed for hearing on several occasions, the learned counsel for the petitioner was not ready for arguments. Hence, the petition was ordered to be dismissed for default.

4. Being satisfied with the reasons stated in the affidavit filed in support of this petition, this petition is ordered and the Criminal Miscellaneous petition is allowed.

5. Post the matter on 30.04.2024.

Sd/-

Assistant Registrar(CS I)

// True Copy //

29/04/2024

Sub Assistant Registrar
(CS - I/ II / III /IV)

dss



TO

1 THE JUDICIAL MAGISTRATE, TENKASI.

COPY TO:

THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL MP(MD) No.4353 of 2024

IN

CRL OP(MD) No.12398 of 2022

ORDER Date :15/04/2024

NEXT HEARING DATE: 30.04.2024

MK/29.04.2024 3P 3C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023