



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Appellate Jurisdiction

Friday, the Twenty Sixth day of April Two Thousand and Twenty Four

PRESENT

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

CRL MP(MD). No.4907 of 2024
in
CRL OP(MD).No.14001 of 2022

P.M.Pandiyan

... Petitioner/ Accused No.2

..Vs..

1 The Inspector of Police
Kovilpatti East Police Station
Kovilpatti
Thoothukudi District
(Crime No. 11 of 2012)

... 1st Respondent/Complainant

2 Nashirud Nisha Begam

... 2nd Respondent/
Defacto Complainant

Prayer :-

Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C., to restore the Crl.O.P.(MD).No.14001/2022 on the file of this Court to the file which was dismissed for non-prosecution by setting aside the order dated 13.03.2024.

Prayer in Crl.O.P.(MD).No.14001/2022 :

The Criminal Original Petition is filed under Section 482 of Cr.P.C., to call for the records pertaining to C.C.No. 217 of 2019 on the file of the learned Judicial Magistrate No.I, Kovilpatti, Thoothukudi District and quash the same against the petitioner.



ORDER:- This Criminal Miscellaneous Petition is 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 Mr.Ka.Ramakrishnan, Advocate for the Petitioner and of Mr. R.M.Anbunithi, Additional Public Prosecutor (Crl.Side) for the 1st Respondent, Mr.G.Mariappan, Advocate for the 2nd respondent, this Court made the following order:

This petition has been filed seeking orders to restore the Criminal Original Petition in Crl.OP(MD)No.14001 of 2022, which was dismissed for non-prosecution on 13.03.2024.

2. The learned Additional Public prosecutor for the State and the learned counsel for the second respondent have no objection to allow this petition.

3. It is seen from the judgment of this Court dated 13.03.2024 that the matter was listed for hearing on 07.03.2024 and on that day, there was no representation for the petitioner. Hence, the matter was ordered to be listed on 13.03.2024. However, on that day also there is no representation for the petitioner. Hence, the petitioner was ordered to be dismissed for non-prosecution.

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 13.06.2024.

// True Copy //

Sd/-
Assistant Registrar(CS I)

/05/2024
Sub Assistant Registrar
(CS- I/ II / III / IV)

TO

1 THE JUDICIAL MAGISTRATE No.I,
KOVILPATTI.

2.The Inspector of Police,
Kovilpatti East Police Station,
Kovilpatti,
Thoothukudi District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

4. The Section Officer,
Criminal Section,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



ORDER DATED : 26/04/2024

Next dated : 13/06/2024

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ORDER

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CRL MP(MD). No.4907 of 2024

in

CRL OP(MD).No.14001 of 2022

Giving direction and etc.

as stated within.

MGJ(08.05.2024) 4P 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023