



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Thursday, the Eleventh day of July Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice B.PUGALENDHI

CRL MP(MD). No.6960 of 2024
in
Crl.OP(MD)No.17171 of 2022

R.Manikandan

... Petitioner/Petitioner/Sole Accused

Vs

1 The Inspector of Police
Vasudevanallur Police Station
Vasudevanallur Tirunelveli District
Crime No. 330/2020

...1st Respondent/1st Respondent/
Complainant.

2 Kajamohideen
Govt Official Non Gazetted,
Village Administrative Officer,
Sanganaperi Sivagiri Taluk,
Tirunelveli District.

... 2nd Respondent/2nd Respondent/
Defacto Complainant

Prayer :-

Criminal Miscellaneous Petition is filed under Section 528 of BNSS to restore the criminal original petition in Crl O.P (MD) No. 17171 of 2022 on the file of this Honble Court to the which was dismissed for non prosecution by setting aside the order dt. 24.04.2024 and pass such other orders.



Prayer in CrI.OP(MD)No.17171 of 2022-

Criminal Original Petition is filed under Section 482 of Cr.P.C. To call for the records pertaining to the case in impugned Charge Sheet in P.R.C.No.25 of 2022 on the file of the Judicial Magistrate, Sivagiri in Crime No.330 of 2020 on the file of the first respondent and quash the same as illegal insofar as the petitioner is concerned.

ORDER:- This Criminal 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 Mr. R. Manikandan (Party in Person), for the Petitioner and of Mr. M. Sakthi Kumar, Government Advocate for the 1st respondent, this Court made the following order:

This Criminal Miscellaneous Petition is filed to restore CrI.OP(MD) No.17171 of 2022, dated 24.04.2024, which was dismissed for non-prosecution on 24.04.2024.

2.The petitioner has filed the above Criminal Original Petition as against the proceedings initiated in PRC No.25 of 2022, on the file of the Judicial Magistrate Court, Sivagiri. When the above Criminal Original Petition was listed for hearing on 23.04.2024, there was no representation for the petitioner. Therefore, it was listed on 24.04.2024 under the caption "for dismissal". Even on that day, the petitioner was not present and therefore, the said Criminal Original Petition was dismissed for non



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3.The petitioner, a party in person has filed this Criminal Miscellaneous petition to restore the Criminal Original Petition. However, the petitioner is not in a position to clarify the ground, on which, this Miscellaneous petition has been filed to restore the Criminal Original petition, which was dismissed on 24.04.2024. It appears that this application has been drafted by some counsel and the counsel, who has prepared the petition is not before this Court. Moreover, the petitioner/the party in person, is not in a position to understand the questions raised by this Court and to answer. Being not satisfied with the reasons assigned in the affidavit filed in support of this petition, this Petition is dismissed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/07/2024

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

TO

1. The Judicial Magistrate,
Sivagiri.

2. The Inspector of Police
Vasudevanallur Police Station
Vasudevanallur Tirunelveli District



3. Kajamohideen
Govt Official Non Gazetted,
Village Administrative Officer,
Sanganaperi Sivagiri Taluk,
Tirunelveli District.

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

Copy to:

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

ORDER DATED : 11/07/2024

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ORDER
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CRL MP(MD). No.6960 of 2024
in
Crl.OP(MD)No.17171 of 2022

RE (22.07.2024) 4P/ 6C
Madurai Bench of Madras High Court is issuing certified copies in this format from 17.07.2023.