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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Criminal Appellate Jurisdiction

Wednesday, the Sixth day of March Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH

CRL MP(MD). No.17868 of 2023

in

CRL RC(MD).No.409 of 2023

Marry Grace @ Mary Grace

... Petitioner/Petitioner

..Vs..

**The Sub Inspector of Police
CCIW Sivagangai Police Station
Sivagangai.
In Crime No.1/2021.**

... Respondent/Respondent

Prayer :-

This Criminal Miscellaneous petition is filed U/s.482 of Criminal Procedure Code to set aside the dismissal order in CrI RC(MD) No.409/2023 dt.15.09.2023, which was dismissed for non appearance and to restore the same.

Prayer in CrI RC(MD) No.409/2023 :

Petition filed under Section 397 r/w 401 of the Criminal Procedure Code, to call for the records relating to the order dated 22.02.2023 made in Cr.M.P.No.10912 of 2023, on the file of the Judicial Magistrate Court No-II, Sivagangai and to set aside the same.

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. S.Parthiban, Advocate for the Petitioner and of Mr. M.Muthumanikkam Govt. Advocate (Crl. Side), for the respondent), this Court made the following order:

This petition has been filed to restore the Criminal Revision Case in Crl.R.C. (MD)No.409 of 2023, which was dismissed for non-prosecution, on 15.09.2023 on the file of this Court.

2. Heard the learned Counsel on either side.

3. The learned Government Advocate (Crl side) appearing for the respondent has no objection to allow this petition.

4. Being satisfied with the reasons stated in the affidavit and also the submission made by the learned Government Advocate for the respondent, this petition for restoration is ordered and the Crl.R.C.(MD)No.409 of 2023 is restored to file.

5. The Registry is directed to list the Crl.R.C.(MD)No.409 of 2023 on 05.04.2024, for hearing.

Sd/-

Assistant Registrar(CS I)

// True Copy //

/03/2024

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



1.The Judicial Magistrate Court No-II, Sivagangai.

**2.The Sub-Inspector of Police, CCIW Sivagangai Police Station,
Sivagangai.**

**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.**

ORDER DATED : 06/03/2024

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ORDER

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**CRL MP(MD). No.17868 of 2023
in**

**CRL RC(MD).No.409 of 2023
Giving direction and etc.
as stated within.**

MK/14.03.2024 3P 5C

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