



Crl.R.C.No.1176 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.R.C.No.1176 of 2025

Alamelu

.... Petitioner

Vs

The State represented by its
Inspector of Police,
B2 Esplanade Police Station,
Parrys, Chennai – 600 108.

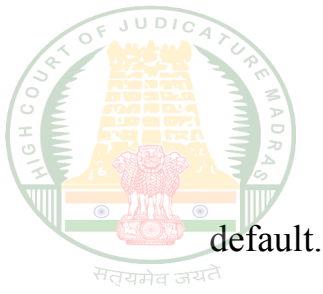
.... Respondent

PRAYER: Criminal Revision Case is filed under Sections 438 & 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to set aside the order dated 29.01.2025 passed in Crl.M.P.No.6023 of 2024 by the learned VII Metropolitan Magistrate, George Town, Chennai and to restore the same on file.

For Petitioner : Mr.P.G.Thiyagu
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

This Criminal Revision Case has been filed challenging the order dated 29.01.2025 passed in Crl.M.P.No.6023 of 2024 by the learned VII Metropolitan Magistrate, George Town, Chennai, thereby dismissing the petition filed under Section 156(3) of Criminal Procedure Code for



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default.

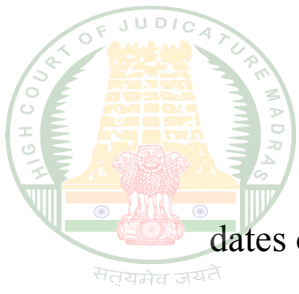
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2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. It is seen from the records that the petitioner is aged about 62 years and suffered with lumbar ailment. Therefore, she was unable to appear before the Trial Court on 29.01.2025. Hence, the petitioner's petition was dismissed for default.

4. In view of the above facts and circumstances of the case, this Court is of the considered opinion that the petitioner deserves one more opportunity to put forth his case. Therefore, this Court is inclined to interfere with the order passed by the Trial Court.

5. Accordingly, the order dated 29.01.2025 passed in Crl.M.P.No.6023 of 2024 by the learned VII Metropolitan Magistrate, George Town, Chennai, is hereby set aside. However, the Trial Court is directed to pass appropriate orders on merits and in accordance with law. The petitioner shall co-operate with the Trial Court by appearing on all



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dates of hearing.

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6. In the result, this Criminal Revision Case stands allowed.

23.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Lpp

To

The VII Metropolitan Magistrate,
George Town, Chennai.

G.K.ILANTHIRAIYAN, J.



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