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Crl.M.P.No.28068 of 2024 in
Crl.O.P.No.2899 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.08.2025

CORAM

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

Crl.M.P.No.13707 of 2025

in

Crl.O.P.No.2899 of 2023

C. Aruchamy

... Petitioner

Versus

1.K. Selvaraj

2.State Rep.by,
The Inspector of Police,
Land Grabbing Prevention Unit,
Coimbatore District.
(Crime No.28 of 2015)

...Respondents

PRAYER: Criminal Miscellaneous Petition is filed under Section 482 of Criminal Procedure Code, 1973, to recall the order dated 04.03.2025 made in Crl.O.P.No.2899 of 2023 and provide him an opportunity to plead the case on merits.

For Petitioner : Mr. P.M. Duraiswamy

For Respondents : Mr. A. Gopinath, (for R2)
Government Advocate (Crl.side)

: Notice Served (for R1)



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ORDER

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This criminal miscellaneous petition has been filed seeking recall of the order dated 04.03.2025 passed in Crl.O.P.No.2899 of 2023, thereby quashed the proceedings in C.C.No.2673 of 2022 on the file of the learned Chief Judicial Magistrate Court, Coimbatore, as against the petitioner herein.

2. The learned counsel for the petitioner submitted that on the date of passing of the order i.e., 04.03.2025, though his name was typed in the order, he was not heard. Therefore, he was unable to bring certain vital facts to the notice of this Court.

3. Though this Court served notice to the first respondent and the name of the first respondent was printed in the cause list, no one appeared on his behalf, either in person or through pleader, before this Court.

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

5. Considering the submissions made by the learned counsel for



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the petitioner, in order to provide one more opportunity to the the
petitioner, this Court is inclined to recall the order dated 04.03.2025
passed in Crl.O.P.No.2899 of 2023. Accordingly, the said order is hereby
recalled.

6. In view of the above, this Criminal Miscellaneous Petition is
ordered.

12.08.2025

Index : Yes/No
Neutral Case Citation : Yes/No
Speaking/non-speaking order

klt

To

- 1.The Inspector of Police,
Land Grabbing Prevention Unit, Coimbatore District.
- 2.The Public Prosecutor, High Court of Madras, Chennai.

G.K.ILANTHIRAIYAN, J.

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