



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.10.2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

Crl.R.C. No.1547 of 2025

R. Muthu

...Petitioner

Vs

J. Gangadevi

..Respondent

Prayer: This Criminal Revision is filed under Section 419 of BNSS, 2023

to set aside the acquittal Judgment dated 13.03.2025 passed by the learned

Judicial Magistrate No.1, Salem in S.T.C.No.25 of 2018 and pass orders.

For petitioner : Mr.L. Mouli

ORDER

This criminal revision has been filed to set aside the acquittal

Judgment dated 13.03.2025 passed by the learned Judicial Magistrate No.1,

Salem in S.T.C.No.25 of 2018 and pass orders.



2.The facts of the case that the Court below has observed that the complainant was absent and there is no representation and the complainant had failed to appear on 21.01.2025, 21.02.2025 and 13.03.2025 and dismissed the case on 13.02.2025. Challenging the same, the petitioner has filed this Criminal Revision.

3. The learned counsel for the petitioner submits that the Trial Court failed to consider that the appellant has filed process memo on 24.10.2024 to execute the bailable warrant to appellant. He further submitted that the trial Court ought to have granted an opportunity to the complainant to contest the case after securing the presence of the accused. Hence prays to allow this Criminal Revision.

4. There is no representation for the respondent

5. Heard the learned counsel for the petitioner and perused the materials available on record.



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6. On a perusal of records it is seen that the petitioner is 75 years old and the learned Judicial Magistrate No.1, Salem has not dismissed the case on merits and it was only dismissed due to non-appearance. Further more it is seen that the complainant has taken steps to execute bail warrant to the accused. Hence, this Court is inclined to give one more opportunity to the petitioner herein to defend his case.

7. For the foregoing reasons, this Criminal Revision stands allowed.

Index : Yes/No
Internet : Yes/No
Speaking/Non-speaking Order
smn

09.10.2025

To.

1. The learned Judicial Magistrate No.1, Salem



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T.V.THAMILSELVI,J.

smn

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