



Crl.R.C.No.70 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 10.06.2025

CORAM:

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

Crl.R.C.No.70 of 2023

Kalaivani

... Petitioner

Vs.

1. The State Rep. by
The Inspector of Police,
W-2, All Women Police Station,
Tiruplicane, Anna Salai,
Chennai – 600 002.

2. Eswaran

... Respondents

PRAYER: Criminal Revision has been filed under Sections 397 & 401 of Cr.P.C., praying to call for the records and proceedings of Crl.A.No.57 of 2021 on the file of the learned XXI Additional City Civil Court at Allikulam, Chennai by allowing this Revision Petition of the petitioner to set aside the order in Crl.A.No.57 of 2021 dated 12.09.2022 in C.C.No.7432 of 2014 passed by the learned XXI Additional City Civil Court at Allikulam, Chennai.

For Petitioner : Mr.K.Nirmal Kumar

For Respondents

For R1 : Mr.A.Gopinath
Government Advocate (Crl. Side)

For R2 : Mr.V.Neethi Durai



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ORDER

This Criminal Revision Case has been preferred against the judgment dated 12.09.2022, passed by the learned XXI Additional Judge, City Civil Court, Allikulam, Chennai, in Crl.A.No.57 of 2021, thereby dismissing the appeal for default.

2. The petitioner is the complainant and on her complaint, the first respondent registered the FIR in Crime No.04 of 2012 for the offences punishable under Section 498A of IPC and Section 4 of the Dowry Prohibition Act, as against the second respondent. After completion of investigation, the first respondent filed final report and the same has been taken cognizance in C.C.No.7432 of 2014 on the file of the learned Chief Metropolitan Magistrate, Egmore, Chennai. After full fledged trial, the trial Court acquitted the second respondent from the charges punishable under Section 498A of IPC and Section 4 of the Dowry Prohibition Act. Aggrieved by the same, the petitioner preferred an appeal and the same was dismissed by an order 12.09.2022 for default since, the petitioner failed to appear before the appellate Court on 12.09.2022. Aggrieved by the same the petitioner filed the present revision case.



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3. Considering the above facts and circumstances, this Court is inclined to set aside the order passed by the appellate Court. Accordingly, the judgment dated 12.09.2022, passed by the learned XXI Additional Judge, City Civil Court, Allikulam, Chennai, in Crl.A.No.57 of 2021, is hereby set aside and the matter has been remanded back to the appellate Court for fresh disposal on merits. The petitioner is directed to appear before the appellate Court on all required hearing dates and the appellate Court viz., the learned XXI Additional Judge, City Civil Court, Allikulam, Chennai, is directed to dispose the same within a period of three months from the date of commencement of hearing of the appeal.

4. With the above directions, the Criminal Revision Case stands disposed of.

10.06.2025

Internet: Yes
Index: Yes/No
Speaking/Non speaking order

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G.K.ILANTHIRAIYAN. J,

rts

To

1.The XXI Additional Judge,
City Civil Court, Allikulam,
Chennai.

2.The Chief Metropolitan Magistrate,
Egmore, Chennai.

3. The Inspector of Police,
W-2, All Women Police Station,
Tiruplicane, Anna Salai,
Chennai – 600 002.

4. The Public Prosecutor,
Madras High Court,
Chennai.

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