



Crl.R.C.(MD)No.601 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.06.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.601 of 2025

and

Crl.M.P(MD)Nos.6702 & 6703 of 2025

Kanagaraj

... Petitioner

Vs.

State of Tamil Nadu rep. by
The Sub-Inspector of Police,
Seithur Rural Town Police Station,
Virudhunagar District.
(Crime No.127 of 2025)

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records of the Learned Additional District Sessions Judge, Virudhunagar at Srivilliputhur in Crl.A.No.112/2017 by Judgment dated 25.10.2024 confirming the Sentence of Imprisonment passed by the Learned Chief Judicial Magistrate, Srivilliputtur, Virudhunagar District in S.C.No.207 of 2013, dated 19.08.2017 and set aside the judgment and conviction of Courts below and acquit the petitioner.

For Petitioner : Mr.D.Rajaboopathy

For Respondent : Mr.S.Ravi
Additional Public Prosecutor



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ORDER

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The Criminal Revision Case is directed against the order passed in Crl.A.No.112/2017 by the Learned Additional District Sessions Judge, Virudhunagar at Srivilliputhur, dated 25.10.2024 confirming the sentence of imprisonment passed by the learned Chief Judicial Magistrate, Srivilliputtur, Virudhunagar District in S.C.No.207 of 2013, dated 19.08.2017.

2. When the matter came up for admission, the learned counsel for the petitioner sought time for a week.

3. However, the learned Additional Public Prosecutor submitted that the Additional District Sessions Judge, Virudhunagar at Srivilliputhur passed an order dismissing Crl.A.No.112 of 2017 on 25.10.2024 for default recording the absence of appellant. Pointing out that the criminal appeal ought not to have been dismissed without going into the facts of merit, the learned Additional Public Prosecutor submitted that this is a fit case to be remanded.



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4. Recording the same, the impugned order in Crl.A.No.112 of 2017 which was dismissed is hereby set aside and the matter is remanded back to the file of Additional District Sessions Judge, Srivilliputhur with a direction to conclude the criminal appeal on merits, within a period of three (3) months from the date of receipt of copy of this order.

5. Accordingly, this Criminal Revision Case is disposed of. Consequently, connected Miscellaneous Petitions are closed.

04.06.2025

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To

1.The Additional District Sessions Judge,
Virudhunagar at Srivilliputhur.

2.The Chief Judicial Magistrate,
Srivilliputtur, Virudhunagar District.

3.The Sub-Inspector of Police,
Seithur Rural Town Police Station,
Virudhunagar District.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,

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Madurai.
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L.VICTORIA GOWRI ,J.

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Order made in
Crl.R.C.(MD)No.601 of 2025

Dated: 04.06.2025