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Crl.R.C.(MD)No.349 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH
COURT

DATED: 25.07.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

Crl.R.C.(MD)No.349 of 2025

Akbarsulthan

... Petitioner/Complainant

Vs.

Rukmani

... Respondent/Respondent

PRAYER : Criminal Revision Case filed under Section 397 r/w 401 of BNSS, to call for the records and set aside the order STC.No.141/2017 on the file of the Judicial Magistrate No.I, Pudukottai dated 15.11.2023 and to restore the complaint to file by allowing the above Criminal Revision Petition.

For Petitioner : Mr.P.Banuprasath

For Respondent : No Appearance

ORDER

Challenging the order passed by the learned Judicial Magistrate No.I, Pudukkottai in S.T.C.No.141 of 2017 dated 15.11.2023 dismissing the said case for default recording the absence of the complainant and



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that of his counsel, despite issuance of final notice sent vide D.No.1785 of 2023, dated 30.10.2023, this criminal revision case is filed.

2. The learned counsel for the petitioner submitted that the petitioner who is the complainant met with an accident on that fateful day of 15.11.2023, as a result of which neither he was able to give instructions nor was able to appear before the learned Trial Court. Hence, the impugned docket order need to be set aside.

3. On careful perusal of the B-diary entries of the Chief Judicial Magistrate, I find that the complainant was present on 21.09.2023 i.e., two hearings before the date on which the case was dismissed. He was not present on 25.10.2023 and 30.10.2023.

4. Being satisfied with the reason putforth by the learned counsel for the petitioner that the complainant had suffered an accident, because of which he was not able to appear before the Trial Court, this Court hereby set aside the impugned docket order, dated 15.11.2023 in S.T.C.No.141 of 2017 on condition to pay a cost of Rs.10,000/- to the



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District Legal Services Authority, Pudukottai within a period of ten (10) days from the date of receipt of copy of this order.

5. Accordingly, this Criminal Revision Case is disposed of.

25.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The Judicial Magistrate No.I,
Pudukottai.
- 2.The Chairman,
District Legal Services Authority,
District Court Buildings,
Pudukottai -622 001.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI ,J.

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Order made in
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