



CrL.R.C.(MD)No.480 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CrL.R.C.(MD)No.480 of 2024

and

CrL.M.P.(MD)No.5166 of 2024

1.Alagupillai
2.Arunthavasu
3.Sokkappan

... Petitioners

-VS-

1.Selvakumar
2.The State Represented by,
The Sub Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
(Crime No.4 of 2023)

... Respondents

PRAYER : Criminal Review Case filed under Section 397 r/w. 401 of Cr.P.C., to call for the records relating to the order dated 05.02.2024 passed by the learned Judicial Magistrate No.II, Sivagangai, in CrL.M.P.No. 11933 of 2023 in Crime No.4 of 2023 on the file of the second respondent and to set aside the same.

For Petitioners : Mr.R.Udhayakumar
For Respondents : Mr.M.Sakthi Kumar
Government Advocate (CrL.)

ORDER

Challenging the impugned order passed by the learned Judicial



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Magistrate No.II, Sivagangai District, in CrL.M.P.No.11933 of 2023 in Crime No.4 of 2023 dated 05.02.2024, this Criminal Revision Case is filed.

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2.On the complaint of the defacto complainant, Crime No.60 of 2023 came to be registered by the Poovanthi Police Station. After investigation, the Investigating Officer have filed a final report, on 16.08.2023, deleting the name of A2 to A4 from the array of accused. Challenging the same, CrL.M.P.No.11933 of 2023 came to be filed by the defacto complainant, requiring to add the deleted accused and the same was dismissed on 05.02.2024. Against which, the present Revision case is filed.

3.Heard both sides and carefully perused the materials available on record.

4.A careful perusal of the materials would reveal that the learned Trial Court had proceeded to pass the impugned order dated 05.02.2024, without issuing notice to the petitioners herein/accused 2 to 4, on the basis of arguments made by the learned counsel for the defacto complainant and the learned Assistant Public Prosecutor appearing for the respondent Police therein. Considering the fact that the impugned order came to be passed by the learned Trial Court without hearing the petitioners herein, the impugned order is hereby set aside and remanded back for fresh adjudication before the learned Trial Court, with precise



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direction to dispose of the same, after giving opportunity of hearing to the revision petitioners herein and other parties.

5.At this juncture, the learned Government Advocate appearing for the second respondent submitted that now the jurisdiction of Poovanthi Police Station is transferred to the learned Judicial Magistrate, Thirupuvanam and assigned with new C.C.No.40 of 2024. The learned Judicial Magistrate, Thirupuvanam, is directed to dispose of the case in C.C.No.40 of 2024 within a period of two months from the date of receipt of copy of this order.

6.In view of the above, this Criminal Revision Case is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

18.06.2025

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



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To

- 1.The Judicial Magistrate, Thirupuvanam
- 2.The Sub Inspector of Police,
Poovanthi Police Station,
Sivagangai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.

Mrn

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