



Crl.R.C.(MD)No.515 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.515 of 2025

and

Crl.M.P.(MD)No.5287 of 2025

T.Manivanan

... Petitioner

Vs.

The Assistant Commissioner of Customs,
Custom House, New Harbour Estate,
Tuticorin-628004.

... Respondent

PRAYER : Criminal Revision Case filed under Section 438 r/w 442 B.N.S.S., to call for the records of the order in Crl.M.P.No.1287 of 2025 in C.C.No.787 of 2020, dated 26.03.2025 on the file of the Additional Chief Judicial Magistrate, Madurai and set aside the same by allowing the revision petition.

For Petitioner : Mr.B.Satish Sundar

For Respondent : Mr.C.Arul Vadivel @ Sekar
Senior Counsel for NCB Cases



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ORDER

The Criminal Revision is directed against the order passed in Crl.M.P.No.1287 of 2025 in C.C.No.787 of 2020 dated 26.03.2025 on the file of the Additional Chief Judicial Magistrate, Madurai, dismissing the petition filed under Section 346 B.N.S.S.

2. The learned counsel appearing for the petitioner would submit that the petitioner has already filed a quash petition in Crl.O.P.(MD)No. 23518 of 2023 and is pending before this Court, that the petitioner's counsel has given many letters to the Registry and despite his repeated requests, the same is yet to be listed, that in the meanwhile, the learned Magistrate has proceeded with the trial and that therefore the petitioner was constrained to file the above petition under Section 346 B.N.S.S.

3. The learned Senior Counsel appearing for the respondent would submit that the learned Additional Chief Judicial Magistrate after granting sufficient time and since the petitioner has not produced any stay order, summons were issued for the witnesses and two witnesses came to be examined.



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4. Considering the submissions made on either side and also taking note of the intervening summer vacation, this Court directs the learned Additional Chief Judicial Magistrate, Madurai not to proceed further till 06.06.2025 and the learned Additional Chief Judicial Magistrate, Madurai is at liberty to proceed thereafter.

5. With the above direction, this Criminal Revision Case stands disposed of. Consequently, connected Miscellaneous Petition is closed.

No costs.

25.04.2025

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

To

1.The Additional Chief Judicial Magistrate,
Madurai.

2.The Assistant Commissioner of Customs,
Custom House, New Harbour Estate,
Tuticorin-628004.

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

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K.MURALI SHANKAR,J.

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Order made in
Crl.R.C.(MD)No.515 of 2025
and
Crl.M.P.(MD)No.5287 of 2025

Dated: 25.04.2025