



CRL RC(MD)No.1015 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.08.2025

CORAM:

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL RC(MD)No.1015 of 2025

Chandrasekar

... Petitioner

Vs.

1.Singarani

2.Minor. Piranauv

(represented by his mother Singarani)

... Respondents

PRAYER: Criminal Revision Petition is filed under Section 397 r/w 401 of Cr.P.C., 1973, to call for the records relating to the order passed in CrI.M.P.No. 797 of 2024 in D.V.C.No.12 of 2023 dated 31.12.2024, on the file of the Judicial Magistrate No.II, Sivakasi, Virudhunagar District and set aside the same.

For Petitioner : M/s.S.Mahalakshmi

For Respondents : Mr.P.Pratheesh

ORDER

This Criminal Revision Petition is filed to call for the records relating to the order passed in CrI.M.P.No.797 of 2024 in D.V.C.No.12 of 2023 dated



CRL RC(MD)No.1015 of 2025

31.12.2024, on the file of the Judicial Magistrate No.II, Sivakasi, Virudhunagar

District and set aside the same.

2. The case of the prosecution is that the case in D.V.C.No.12 of 2023 was filed against the petitioner by his wife and minor child. An ex parte order was passed on 24.01.2024 as against the petitioner for his non appearance. Thereafter, Cr.M.P.No.797 of 2024 was filed by the petitioner to set aside the ex parte order. The same was allowed with a condition to pay a sum of Rs.3,000/- to the respondents herein on or before 06.01.2025. But the petitioner herein failed to pay the said cost to the respondents, failing which the order dated 31.12.2024 made in Cr.M.P.No.797 of 2024 stood dismissed automatically. Challenging the same, the petitioner / husband is before this Court.

3. Learned counsel for the petitioner submitted that due to inadvertence of the lower Court counsel, the petitioner was not able to pay the cost to the respondents and now he is ready to pay the cost of Rs.3,000/- as ordered by the trial Court and prayed for allowing this revision case by permitting him to pay the cost.



CRL RC(MD)No.1015 of 2025

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4. This Court does not find any demerit in the order passed by the trial Court. The petitioner ought to have been diligent in conducting the case before the trial Court and shifting the fault on the counsel who had conducted the case before the trial Court is not a good practice and to be allowed by this Court. This Court does not find any infirmity in the order passed by the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District, dated 31.12.2024, made in Crl.M.P.No.797 of 2024.

5. Accordingly, this Criminal Revision Petition is dismissed.

18.08.2025

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

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To

1.The Judicial Magistrate No.II, Sivakasi, Virudhunagar District.



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CRL RC(MD)No.1015 of 2025

L.VICTORIA GOWRI, J.,

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CRL RC(MD)No.1015 of 2025

18.08.2025