



Crl.A(MD)No.46 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :02.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.A(MD)No.46 of 2023

Ko.Ganesan

... Appellant

Vs.

Ka.Ganesan

...Respondent

PRAYER: Appeal filed under Section 372 of the Code of Criminal Procedure, 1973, as against the judgment made in CC No.30 of 2014, dated 15.11.2016, by the Judicial Magistrate No.II, Sattur.

For Appellant : Mr.A.Haja Mohideen
For Respondent : Mrs.P.Kalaiyarasi Bharathi

J U D G M E N T

This Criminal Appeal is filed as against the judgment of the learned Judicial Magistrate No.II, Sattur in CC No.30 of 2014, dated 15.11.2016.



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2. A private complaint was filed by this appellant under Section 200 of Cr.P.C., for taking action as against the respondent/ accused for the offence under Sections 463, 466, 467 and 120(3) IPC. The case of the appellant before the trial Court was that the respondent/ accused, by taking advantage of the similarity in the name of the petitioner's father and his father's name has produced a transfer certificate and obtained a job in Animal Husbandry Department. The trial Court after examining the complainant and also considering the documents, which were placed before the trial Court has dismissed the complaint filed by this appellant. Therefore, the appellant has filed this present appeal along with a leave application.

3. This Criminal Appeal was originally filed in the year 2017, however, it was numbered only in the year 2023. The original complaint was filed in the year 2014 and it was concluded in the year 2017. This Court, by its order dated 20.01.2023 has ordered notice in this Appeal, however, when this appeal was listed for final disposal on



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12.02.2026, there was no representation for the appellant and therefore, the case was posted today under the caption "for dismissal."

4. Even today, the learned counsel appearing for the appellant is not ready to proceed with the appeal stating that he is not having any instructions from the appellant and seeks some more time. The learned counsel has not filed any memo to that effect.

5. Considering the nature of appeal and the fact that the appellant has not proceeded with the appeal even when the case is posted under the caption "for dismissal", this Criminal Appeal is dismissed for default.

02.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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B.PUGALENDHI, J.,

vrn

Judgment made in
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