

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 13.04.2015

CORAM

THE HONOURABLE MR.JUSTICE P.N.PRAKASH

Cr1.OP.No.3462of 2014

S.Veerasami

...Petitioner/Petitioner/
Defacto Complainant

Vs

1.Shankar
2.Murugan

...Respondents/Respondents/
Accused

Prayer:- Criminal Original Petition filed under Section 482 Cr.P.C., to set aside the order passed by the learned Judicial Magistrate, Katpadi, in CMP No.2307 of 2013 in CC.No.384 of 2009 dated 24.01.2014.

For Petitioner : Mr.D.Rajagopal

For Respondents : Mr.S.Sithirai Anandan

ORDER

This petition has been filed to set aside the order passed by the learned Judicial Magistrate, Katpadi, in CMP No.2307 of 2013 in CC.No.384 of 2009 dated 24.01.2014.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondents and perused the material placed on record.

3.This petition has been filed by the defacto complainant. It appears that a case has been registered in Crime No.400 of 2007 under Sections 417, 419, 420, 468 and 471 IPC against the accused persons and after completion of investigation, a final report has been filed in C.C.No.384 of 2009, which is pending on the file of the learned Judicial Magistrate, Katpadi, for trial. During the course of trial, the defacto complainant has filed an application for summoning the Tahsildar and the same was dismissed on 24.01.2014. Aggrieved by which, the present petition under Section

482 CrPC has been by the defacto complainant. During the pendency of this petition, the learned Assistant Public Prosecutor V, Katpadi, in charge of the case has himself filed an application under Section 311 CrPC to summon the Tahsildar. Vide order dated 04.03.2014, the trial Court has allowed the application and issued summons for examining the said Tahsildar.

In view of the order passed by the trial Court, nothing survives for adjudication in this petition and this petition is dismissed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1.The Judicial Magistrate,
Katpadi.

2.-Do- Through The Chief Judicial Magistrate,
Vellore.

3.The Public Prosecutor,
High Court, Madras.

1 CC to Mr.D.Rajagopal, Advocate SR.No. 20535

1 CC to Mr.S.Sithirai Anandan, Advocate SR.No. 20339

सत्यमेव जयते

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VGI (CO)
PSI (28.04.2015)

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