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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2015

CORAM

THE HON'BLE MR.JUSTICE C.T.SELVAM

CRL.O.P.(MD)No.4052 of 2015

and

M.P(MD)Nos.1 and 2 of 2015

M.Sundarapandian

.. Petitioner

.. Vs ..

The State Rep. by
The Inspector of Police,
(CCIW CID),
Virudhunagar.

.. Respondent

Criminal Original Petition filed under section 482 of the Code of Criminal Procedure, praying to call for the records pertaining to the order, dated 24.02.2015 made in Cr.M.P.No.1377 of 2015 in C.C.No.185 of 2003 on the file of the Judicial Magistrate No.II, Virudhunagar and set aside the same.

For Petitioner : Mr.K.Seemaraj
For respondent : Mr.K.V.Rajarajan
Government Advocate(Crl. Side)

ORDER

This petition has been filed to direct the first respondent to call for the records pertaining to the order, dated 24.02.2015 made in Cr.M.P.No.1377 of 2015 in C.C.No.185 of 2003 on the file of the Judicial Magistrate No.II, Virudhunagar and set aside the same.

2.Heard the learned counsel for the petitioner and the learned Government Advocate(Crl. Side) for the State.

3. Perusal of the order under challenge informs of attempt to delay the completion of trial in the case despite an order by this Court requiring the same. The case is of the year 2003. The petitioner has chosen not to cross-examine the witnesses immediately after their chief examination. The first accused has moved a petition under 311 Cr.P.C for recall of witnesses. The same has been allowed by the trial Court 26.02.2014. The petitioner has not chosen to examine the witness at such instances and belatedly, has moved a petition under Section 311 Cr.P.C and the same has been dismissed.

4. Finding no error in the order passed by the trial Court, this Criminal Original Petition shall stand dismissed. Consequently, connected miscellaneous petitions shall stand closed.

Sd/-

Assistant Registrar(AS)

/True copy/

Sub Assistant Registrar



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To

1.The Judicial Magistrate NO.II, Virudhunagar.

2.Do Through The Chief Judicial Magistrate, Virudhunagar District.

3.The Inspector of Police,
(CCIW CID),
Virudhunagar.

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

CRL.O.P. (MD) No.4052 of 2015
17.03.2015

rg.16.04.2015

2p/5c.