



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

CrI.O.P.(MD).No.21385 of 2016

and

CrI.M.P(MD)No.10965 of 2016

Vignesh

.. Petitioner

Vs.

State,
Rep. By the Inspector of Police,
Vengamedu Police Station,
Karur.

(Crime No.175 of 2014)

.. Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to call for the records of the order passed by the learned Judicial Magistrate No.I, Karur in Cr.M.P.No.6809 of 2016 in C.C.No.180 of 2014, dated 27.09.2016 and set aside the same.

For Petitioner

: Mr.S.Deenadhayalan

For Respondent

: Mr.K.Anbarasan

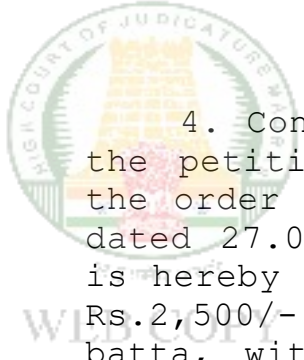
Government Advocate (Criminal side)

ORDER

This Petition has been filed by the petitioner to set aside the order passed by the learned Judicial Magistrate No.I, Karur in Cr.M.P.No.6809 of 2016 in C.C.No.180 of 2014, dated 27.09.2016.

2. The learned counsel for the petitioner would submit that the petitioner is the sole accused in C.C.No.180 of 2014 on the file of the learned Judicial Magistrate No.I, Karur, wherein the petitioner filed Cr.M.P.No.6809 of 2016 to recall the witnesses P.Ws.1 to 5. The said application was allowed on payment of total cost of Rs.2500/- payable to the witnesses. But, due to unavoidable circumstances, the petitioner could not pay the cost and now he is willing to donate Rs.2,500/- by way of valuable things to the Blind School, K.K.Nagar, Madurai.

3. Heard the learned Government Advocate(CrI. Side) appearing



4. Considering the submission made by the learned counsel for the petitioner, this Criminal Original Petition is allowed and the order passed in Cr.M.P.No.6809 of 2016 in C.C.No.180 of 2014, dated 27.09.2016 by the learned Judicial Magistrate No.I, Karur, is hereby set aside on condition that the petitioner shall donate Rs.2,500/- to the Blind School, K.K.Nagar, Madurai and witness batta, within a period of one week from the date on which the order copy made ready.

5.Learned counsel informed the Court that the petitioner has denoted the amount by way of materials and they undertake to pay witness batta in time. If witness batta is paid in time, the trial Court shall allow the petitioner to cross examine the witnesses and it shall be completed on the same day of their appearance. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Encl: Joint the Xerox copy
of cost memo

Sub Assistant Registrar

pm

To

1.The Judicial Magistrate No.I,
Karur.

2.The Inspector of Police,
Vengamedu Police Station,
Karur

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

+1CC to Mr.S.Deenadhayalan, Advocate Sr.No.67515

GJM/SKS/RR/SAR-2-19.12.16-2p-5C

Cr1.O.P(MD)No.21385 of 2016

10.11.2016