

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.9488 of 2017
and M.P.No.6531 of 2017

K.B.Agarwal

... Petitioner

Vs

Yuvaraj

... Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records in Criminal M.P.No.2569 of 2015 in C.C.No.506 of 2015 pending on the file of learned Judicial Magistrate III Tirupur and set aside the order dated 13.04.2017.

For Petitioners : M/s.Chennai Law Associates

For Respondent : Mr.P.Sakthivel

O R D E R

This Criminal Original Petition has been filed to call for the records in Criminal M.P.No.2569 of 2015 in C.C.No.506 of 2015 pending on the file of learned Judicial Magistrate III, Tirupur and set aside the order dated 13.04.2017.

2. Heard both sides and perused the materials available on record.

3. The learned counsel for the petitioner submitted that even before an order came to be pronounced in the petition filed under Section 319 of Criminal Procedure Code, the learned Judicial Magistrate had taken cognizance of the offence and directed for personal appearance of the petitioner. Though the learned counsel for the petitioner had raised several grounds challenging the said order dated 13.04.2017, it is submitted that he would be satisfied if a direction is given to the lower Court to pass final orders in the petition under Section 319 of Criminal Procedure Code. The learned counsel for the respondent has no objection in this regard.

4. Accordingly, there shall be a direction to the learned Judicial Magistrate III, Tirupur to pass final orders in Criminal M.P.No.2569 of 2015 in C.C. No.34 of 2017 within a period of six weeks from the date of receipt of a copy of this order. The trial Court shall not insist upon the personal appearance of the petitioner till the disposal of the said petition.

5. With the above direction this criminal original petition is disposed of. Consequently connected miscellaneous petition is also closed.

Sd/-

Asst.Registrar (CS VIII)

/true copy/

Sub Asst. Registrar

dpq

To

1. The learned Judicial Magistrate III
Tirupur.

+ 1 cc to M/s.Chennai Law Associates, Advocate,SR.75866

+ 1 cc to Mr.P.Sakthivel Advocate,SR.75462

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RR(CO)
NR 13/11/2017

सत्यमेव जयते

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