

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2017

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Crl.O.P.No.22248 of 2017

and

Crl.M.P.No.13060 of 2017

Vincent Suresh Babu

..Petitioner

Vs.

State rep by
The Inspector of Police,
CBCID, Coimbatore.

..Respondent

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C., to call for the records and to set aside the order dated 05.10.2017 in CMP.No.970 of 2017 in C.C.No.101/2010 pending on the file of the learned Chief Judicial Magistrate, Coimbatore and to permit the petitioner to summon Mr.P.Saravanan, Senior Branch Manager, Asset Recovery Management, Canara Bank, Chennai.

For Petitioner : Mr.N.Baaskaran
For Respondent : Mr.C.Iyyapparaj, APP

O R D E R

This petition has been filed by the petitioner, challenging the order dated 05.10.2017 passed by the learned Chief Judicial Magistrate, Coimbatore in C.M.P.No.970 of 2017 and to permit him to summon Mr.P.Saravanan, Senior Branch Manager, Asset Recovery Management, Canara Bank, Chennai.

2.Heard Mr.N.Baaskaran, learned counsel for the petitioner as well as Mr.C.Iyyapparaj, learned Additional Public Prosecutor appearing for the respondent.

3.It is now submitted that the earlier Chief Manager, who had appeared before the trial Court on 28.08.2017 and produced four documents, had stated that she was not a competent person to give evidence and therefore, the learned counsel for the petitioner, now seeks permission of this Court to examine Mr.P.Saravanan, Senior Branch Manager, Asset Recovery

Management, Canara Bank, Chennai for the purpose of marking the four documents produced on 28.08.2017. In my view, the petitioner can be given one more opportunity, in view of his inability to cross-examine the witness earlier, pursuant to the orders of this Court. Hence, there shall be a direction to the learned Chief Judicial Magistrate, Coimbatore to permit the petitioner to summon Mr.P.Saravanan, Senior Branch Manager, Asset Recovery Management, Canara Bank, Chennai and examine him on 13.11.2017.

4.It is made clear that the examination shall be completed on the stipulated date and no further time will be granted.

5.With the above observation and directions, the Criminal Original Petition stands allowed. Consequently, connected Miscellaneous Petition is closed.

-s/d-

Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

DP/nl

To

1.The Chief Judicial Magistrate,
Coimbatore.

2.The Inspector of Police,
CBCID, Coimbatore.

3.The Public Prosecutor,
High Court, Chennai.

+1 Cc to Mr.N. Baskaran, Advocate sr 77070(10/11/2017)

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SP(09/11/2017)