

THE HONOURABLE MR. JUSTICE R.MAHADEVAN
Crl.O.P.No.16273 of 2016
and Crl MP No.7920 of 2016

M/s. Ishvar Communication Pvt Ltd.,
Rep. By its Managing Director Mrs.R.Sudha,
No.2/24, MMDA, Mogappair East,
Chennai 37. Respondent

For Respondent : Mr.R.Sivakumar

The present criminal original petition has been filed to call for the records relating to the order dated 19.07.2016 passed by the learned Judicial Magistrate of the Fast Track Court, Magisterial Level, Ambattur in C.M.P.No.790 of 2016 in S.T.C.No.47 of 2015 and set aside the same.

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

4. The perusal of the order impugned herein would reveal that the respondent/complainant did not file any document at the time of trial and hence, they filed Section 311 Cr.P.C. Petition to reopen the case and recall P.W.1 for the purpose of marking certain documents, which according to the respondent, are vital documents to substantiate its case. The trial Court, after analysing the entire facts and circumstances of the case, decided the petition on merits and accordingly allowed the petition on condition that the respondent should pay the cost of Rs.1000/- to the petitioner on or before 27.07.2016 and the documents have to be marked on the same day itself, against which, the petitioner is before this Court.

5. During the course of arguments before this Court it is submitted by the learned counsel that the said order has not been complied with by the respondent and the cross examination and the marking of the documents have not taken place as directed by the trial Court. Such being the position, this Court is of the view that nothing survives for adjudication in this matter.

6. Hence, the Criminal Original Petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

jv
To

1.The Judicial Magistrate
Fast Track Court, Magisterial Level, Ambattur

2.Do-Thro'The Chief Judicial Magistrate
Egmore, Chennai
+1 cc to M/s.M.Thirumalai Advocate sr 44135
+1 cc to M/s.R.Sivakumar Advocate sr 44051

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