

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.06.2017

CORAM

THE HONOURABLE MR.JUSTICE C.T.SELVAM

CrI.O.P.No.26789 of 2013

Kirubakaran

... Petitioner

Vs.

M/s.Suresh Kumar,
Prop.Suresh Kumar,
No.6, Ponnai Lane,
Purasawalkam,
Chennai-600 007.

... Respondent

Petition filed under Section 482 Cr.P.C. to call for the records pertaining to the proceedings in C.C.No.464 of 2013 on the file of the learned Metropolitan Magistrate, Fast Track Court No.1, Egmore, Chennai and quash the same.

For Petitioner : Mr.S.Venkatesh

For Respondent : M/s.S.Kavitha

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ORDER

Learned counsel for petitioner seeks permission of this Court to withdraw this petition and has also made an endorsement to that effect.

2. Recording the said endorsement, this Criminal Original Petition is dismissed as withdrawn. However, taking into consideration the submission made by the learned counsel for petitioner that the case is at the stage of arguments and owing to the pendency of the present petition, though evidence of the respondent in chief has been recorded, petitioner has not cross examined the respondent and in fairness, he may be afforded an opportunity to do so, this Court permits petitioner to seek recall of respondent for the purpose of cross examination by moving a petition under Section 311 of Cr.P.C. Thereafter, petitioner may examine witness on his side.

3. This Court, recording the undertaking of the learned counsel for petitioner that he will examine only one witness and further petitioner would co-operate in completing the entire process of cross examination of respondent and examination of his witness, directs learned Judicial

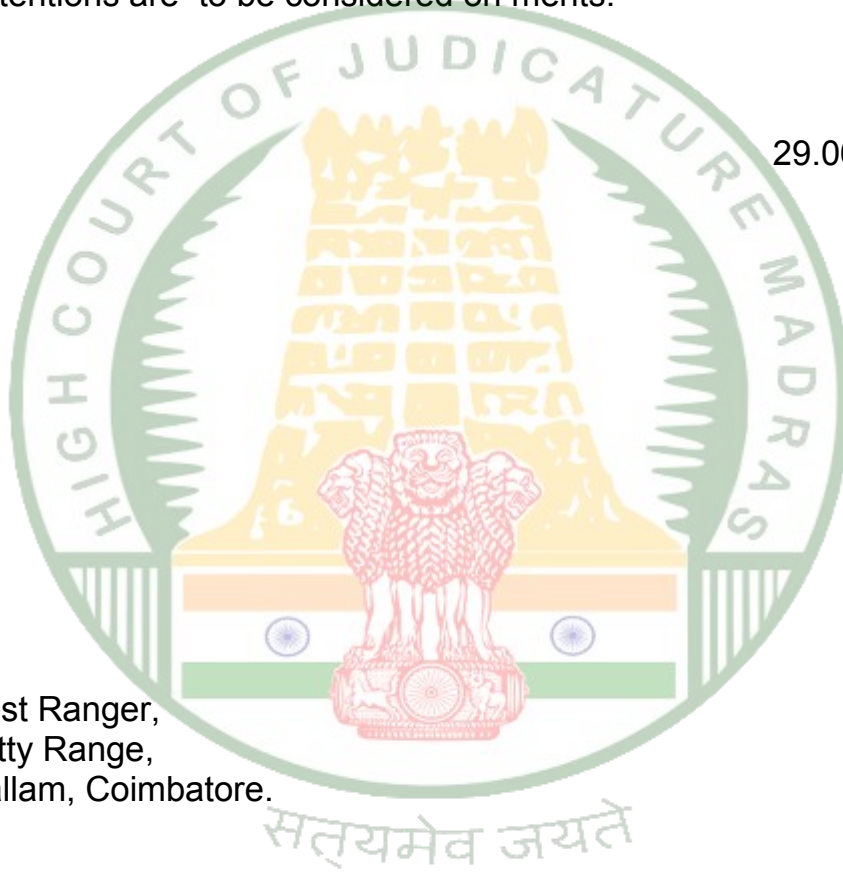
Magistrate, Fast Track Court-1, Egmore, Chennai, to dispose of the case in C.C.No.464 of 2013 within a period of two weeks from the date of receipt of a copy of this order. The Court below is directed to effect strict compliance of terms of this order without fail. It is needless to state that all rival contentions are to be considered on merits.

29.06.2017

dn/dh

To

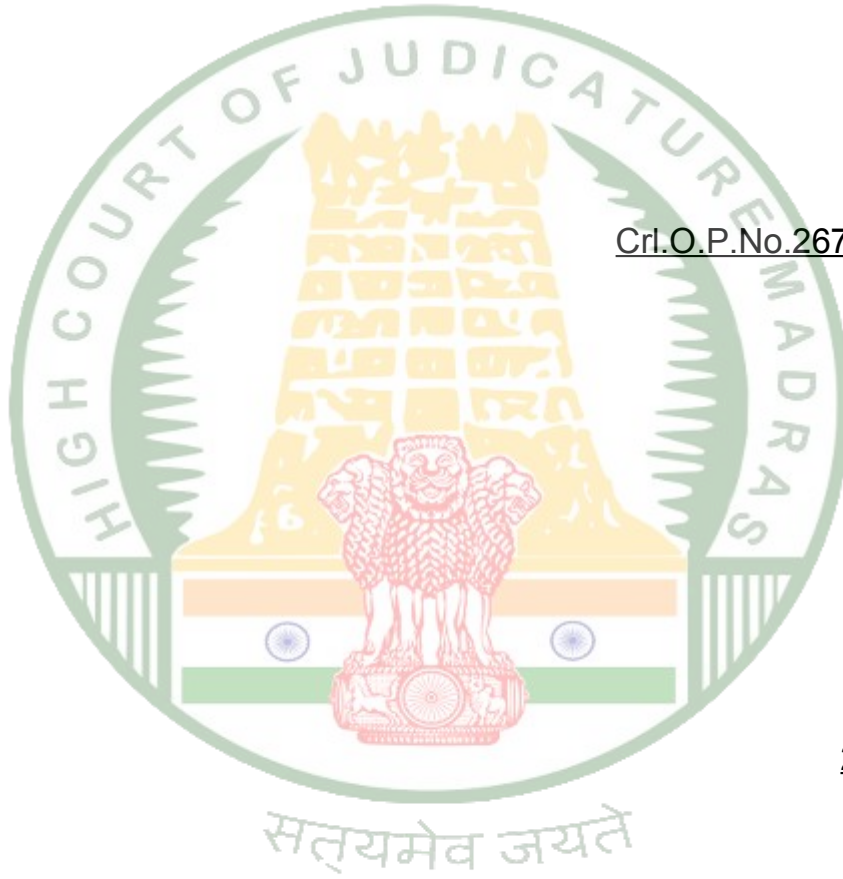
The Forest Ranger,
Bolampatty Range,
Irruttu Pallam, Coimbatore.



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C.T.SELVAM.J,

dn



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