



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:27.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

CRL.O.P.(MD)No.13193 of 2017

and

CRL.M.P.(MD) No.8910 of 2017

Chokkalingam

... Petitioner/Accused

-Vs-

CEE TEE. Palaniyappan

... Respondent/Complainant

PRAYER: Criminal Original petition filed under Section 482 of Criminal Procedure Code, to call for the records in Cr.M.P.No.2269 of 2017 in S.T.C.No.271 of 2016 on the file of Learned Judicial Magistrate (Fast Track Court, Cheque Cases), Karaikudi, dated 16.09.2017 and set aside the same.

For Petitioner : Mr.S.Muniyandi

For Respondent : Mr.A.L.Kannan

O R D E R

This Criminal Original petition has been filed seeking to set aside the order made in Cr.M.P.No.2269 of 2017 in S.T.C.No.271 of 2016 on the file of Learned Judicial Magistrate (Fast Track Court, Cheque Cases), Karaikudi, dated 16.09.2017.

2. Heard the learned counsel appearing for the petitioner and the learned counsel for the respondent appearing for the respondent.

3.The learned counsel appearing for the petitioner would submit that the petitioner undertakes to cross-examine P.Ws.1 and 2 on the date of appearance of the witnesses.

4.In view of the submissions made by the learned counsel appearing for the petitioner and in order to give one more opportunity to the petitioner, the order of the Judicial



Magistrate (Fast Track Court, Cheque Cases) Karaikudi dated 16.09.2017, made in Cr.M.P.No.2269 of 2017 is set aside and the Judicial Magistrate (Fast Track Court, Cheque Cases), Karaikudi is directed to allow Cr.M.P.No.2269 of 2017 filed under Section 311 Cr.P.C. and recall P.Ws.1 and 2 into box within one week from the date of the order to be passed in Cr.M.P.No.2269 of 2017 and the petitioner is directed to cross-examine the witnesses on the same day. The Judicial Magistrate, Fast Track Court, Cheque Cases) Karaikudi is directed to dispose S.T.C.No.271 of 2016 within six months thereafter.

5.This Criminal Original petition is disposed of with the above directions. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Vacation Officer/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

- 1.The Judicial Magistrate
(Fast Track Court, Cheque Cases),
Karaikudi,
 2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- + 1 cc TO Mr.AL.Kannan , Advocate in SR No. 81462
+ 1 cc TO Mr.S.Muniyandi , Advocate in SR No. 81225

cp/sj
AE/MR KKR/SAR4/05.10.2017/2P/5C

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