



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 01.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE B.GOKULDAS

CRL.RC (MD) No.63 of 2017

and

CRL.MP (MD) No.616 of 2017

Pattabi Jeyaraman

... Petitioner

vs.

Amar Singh

... Respondent

Petition filed under Section 397(1) r/w 401 of Cr.P.C, to call for the records and set aside the order passed in Cr.M.P.No.3173 of 2016 dated 24.05.2016 on the file of the Learned Judicial Magistrate (Fast Track No.I) Madurai in S.T.C.No.1430 of 2012 on the file of the Learned Judicial Magistrate (Fast Track No.I), Madurai.

For Petitioner : Mr.G.Karuppasamy Pandian
For Respondent : Mr.G.Thiruvurul Selvam

ORDER

The order dated 24.05.2016 passed in S.T.C.No.1430 of 2012 by the Judicial Magistrate No.I, Madurai, is as follows:-

'Complainant Present. Accused not present. 317 petition filed and allowed. Though sufficient opportunity given for accused side, Accused side not turned up for defence side evidence. Hence defence evidence closed. For argument Call on 4.6.16.'

Against the said order, the petitioner has filed this revision petition to set aside the same.

2.Heard the learned counsel on either side.

3.In the facts and circumstances, perusing the impugned order and the materials on record and also on the concept of fair trial, the impugned order dated 24.05.2016 is set aside and this Criminal Revision Petition is disposed of with a direction to the trial Court to re-open the defence side witnesses and examine the accused as defence witnesses and also examine further witnesses on the defence side and to dispose of the matter within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, CRL.MP(MD)No.616 of 2017 is closed.

Sd/-

Assistant Registrar(C)

/True copy/



To

1.The Judicial Magistrate,
Fast Track No.I, Madurai.

2.-do-throu'Chief Judicial Magistrate,
Madurai.

+1cc to Mr.A.K.Azagarsami, SR.No:5736

nbi

AE/JM/15.02.2017/2P/4C

CRL.RC (MD) No.63 of 2017
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