



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.11.2017

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

Cr1.O.P.(MD)No.9163 of 2011
and
M.P.(MD)No.1 of 2011

Mercury Agency,
rep. by its Manager,
Ramachandran,
No.180-C, Town Hall Road,
Kumbakonam,
Thanjavur District.

... Petitioner

Vs.

Selvaraj

... Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to call for the records from the Lower Court and to set aside the order passed in Cr.M.P.No.2720 of 2010, dated 09.04.2011 in S.T.C.No.2873 of 2007 on the file of the learned Judicial Magistrate, Kumbakonam, Thanjavur District by allowing this Criminal Original Petition.

For Petitioner
For Respondent

: Mr.K.K.Ramakrishnan
: Mr.A.Thiruvadi Kumar

ORDER

The petitioner has filed in Cr.M.P.No.2720 of 2010 in S.T.C.No.2873 of 2007 before the learned Judicial Magistrate, Kumbakonam, Thanjavur District, dated 09.04.2011, under Section 311 of Cr.P.C. to recall him for marking certain documents. After contest, the said petition was dismissed by the learned Judicial Magistrate, Kumbakonam, Thanjavur District, on 09.04.2011. Against which, this criminal original petition is filed.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The learned counsel appearing for the respondent submitted that the respondent has no objection for recalling the



petitioner / complainant to mark certain documents with liberty to the respondent to cross-examine the witnesses.

3. Recording the above said submission, the criminal original petition is allowed and the order dated 09.04.2011 made in Cr.M.P.No.2720 of 2010 in S.T.C.No.2873 of 2007 is set aside. The learned Judicial Magistrate, Kumbakonam, Thanjavur District is directed to recall the petitioners/complainant and allow him to mark the documents. The learned Judicial Magistrate is also directed to take evidence on 28.11.2017. The respondent/accused is permitted to cross-examine the witnesses. The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is allowed.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

To

1.The Judicial Magistrate,
Kumbakonam,

2.The Chief Judicial Magistrate,
Thanjavur District at Kumbakonam

+One cc to M/s.KK.Ramakrishnan, Advocate, SR.No.87909

+One cc to Mr.A.Thiruvadikumar, Advocate, SR.No.88024

rmi

RL/5C/2P/SKN/RSK/SAR3/23/11/2017

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