

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2018

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

CrI.O.P.No.27188 of 2016 &
CrI.M.P.Nos.13769 of 2016 & 14588 of 2017

P.Raja Samuel

... Petitioner

Vs.

Sethuramsubramanian

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to call for the records pertaining to the order dated 15.11.2016 in C.C.No.5446 of 2011 on the file of the FTC-II, Metropolitan Magistrate Court, Egmore, at Allikulam, Chennai - 3 and set aside the same granting opportunity for the petitioner herein to summon the witnesses and let in further evidence.

For Petitioner : Mr.P.S.Ganesh
for M/s. Kurian & Associates

For Respondent : Mr.R.C.Manoharan

ORDER

The ground, on which, the defence evidence came to be closed since the petitioner had not taken steps to file the process in time. Though there is no infirmity in the order, in my view, a sympathetic consideration can be extended to the accused for the purpose of filing the process.

2. In the result, the order dated 15.11.2016 passed in C.C.No.5446 of 2011 on the file of the learned Metropolitan Magistrate, FTC-II, Egmore, at Allikulam, Chennai is set aside. Consequently, the petitioner is permitted to summon the witness to let in further evidence. Since the proceedings are pending from the year 2011 onwards, it would be appropriate to direct the learned Magistrate to expedite the trial and dispose of the same as expeditiously as possible.

3. With the above observation, the Criminal Original Petition stands allowed. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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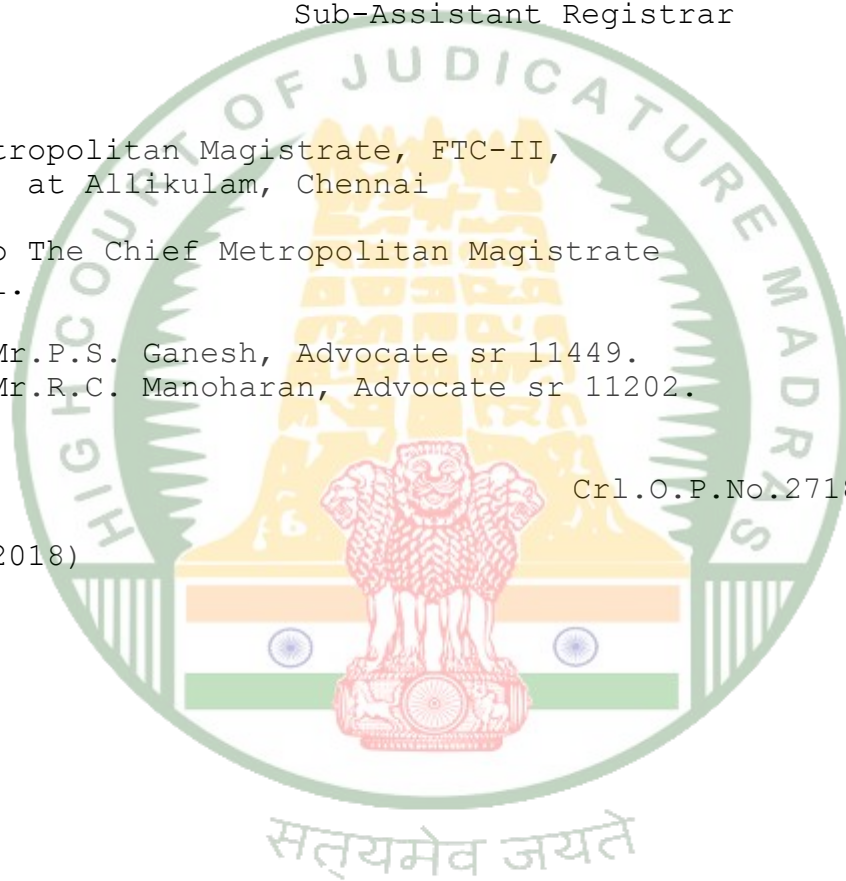
1. The Metropolitan Magistrate, FTC-II,
Egmore, at Allikulam, Chennai
2. Do Thro The Chief Metropolitan Magistrate
Chennai.

+1 CC to Mr.P.S. Ganesh, Advocate sr 11449.

+1 CC to Mr.R.C. Manoharan, Advocate sr 11202.

CrI.O.P.No.27188 of 2016

SP(28/02/2018)



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