



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

Crl.O.P.(MD)No.16621 of 2018

and

Crl.M.P(MD).No.7366 of 2018

Chinnadurai

: Petitioner

Vs.

State rep. by

The Inspector of Police,

Kulithalai Police Station,

Karur District.

(Crime No.9 of 2016)

: Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C to set aside the order passed by the learned Additional Sessions Judge/Fast Track Mahila Court, Karur in Cr.M.P.No.299 of 2018 in Spl.S.C.No.1 of 2018 dated 06.08.2018.

For Petitioner

: Mr.S.Deenadhayalan

For Respondent

: Mr.K.Suyambulinga Bharathi

Government Advocate(crl.side)

ORDER

This petition has been filed challenging the order passed by the Court below in an application filed under Section 311 Cr.P.C in Crl.M.P.No.299 of 2018 to recall P.W.1.

2.It is seen from the records that the Court below has allowed the aforesaid application by order dated 06.08.2018. However, the Court below had directed the petitioner to produce the marriage certificate on or before 13.08.2018, failing which the application shall stand dismissed.

3.The learned counsel for the petitioner submits that the petitioner is aggrieved only insofar as the fixation of time is concerned. The learned counsel would submit that all the efforts are being made to get the marriage certificate as early as possible and it will take two more weeks time to get the marriage certificate. In the meantime, the Court below should not proceed to dismiss the application and go ahead with the main case.

4.Taking in to consideration the submission made by the learned counsel for the petitioner, a final chance is given to the petitioner to produce the marriage certificate on or before 04.10.2018. If the petitioner fails to produce the marriage



certificate, within the time fixed by this Court, the Court below is directed to proceed further with the case and the earlier order passed by the Court below on 06.08.2018 in CrI.M.P.No.299 of 2018 will automatically get revived.

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

Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Additional Sessions Judge/
Fast Track Mahila Court,
Karur.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1CC to Mr.S.Deenadhayalan, Advocate, SR.No.85229

CrI.O.P. (MD) No.16621 of 2018
18.09.2018

rmk
ES/SV/SAR 3/19.09.2018/2P/4C