



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.01.2018

CORAM:

THE HONOURABLE MR.JUSTICE **P.N.PRAKASH****Cr1.O.P. (MD)No.15599 of 2013**

Thiruvengadanarayanan

: Petitioner

Vs.

The State rep. by its,
The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Tuticorin District.
(In Crime No.10 of 2005)

: Respondent

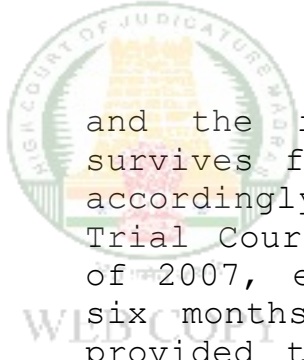
PRAYER: Criminal Original Petition is filed under Section 482 of the Criminal Procedure Code praying to set aside the cost imposed in the order passed in Cr.M.P.No.1366 of 2013 in Spl.C.No.7 of 2007 dated 30.08.2013 by the learned Chief Judicial Magistrate, Tuticorin District.

For Petitioner : Mr.K.Prabhu

For Respondent : Mr.C.Mayil vahana Rajendran
Additional Public Prosecutor

ORDER*********

The Petitioner, who is an accused, filed Cr.M.P.No.1366 of 2013 in Spl.C.No.7 of 2007, under section 311 of the Code of Criminal Procedure, to recall PW-2 to PW-4. The trial Court allowed the Criminal Miscellaneous Petition on condition that the petitioner should deposit a sum of Rs.10,000/- (Ten Thousand Only) with the District Legal Service Authority, Tuticorin, on or before 13.09.2013, failing which the petition would stand dismissed automatically. Challenging the said order, the accused has filed the present Criminal Original Petition.



and the impugned order, being a self-working order, nothing survives for adjudication in this Criminal Original Petition and accordingly, this Criminal Original Petition is dismissed. The Trial Court is directed to proceed with the trial in Spl.C.No.7 of 2007, expeditiously and complete the same within a period of six months from the date of receipt of a copy of this order, provided the accused co-operates with the Court. If the accused adopts any dilatory tactics, he can be remanded to custody, as laid down by the Supreme Court in State of U.P. v. Shambu Nath Singh [2001(4)SCC 667].

sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1. Chief Judicial Magistrate, Tuticorin District.
2. The Deputy Superintendent of Police,
Vigilance and Anti Corruption,
Tuticorin District.
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 cc to M/S.K.PRABHU, ADVOCATE IN SR No.40100

**ORDER MADE IN
Crl.O.P. (MD) No.15599 of 2013
02.01.2018**

PK/JC/SAR-4/12.01.2018 : 2P/5C