

Crl.M.P.No. 16418 of 2019
in
Crl.O.P.No.18989 of 2019

M.NIRMAL KUMAR, J.

The petitioner filed Crl.O.P.No. 18989 of 2019, seeking to recall witnesses PW7 & PW8. This Court passed a positive order, directed the petitioner to approach the trial Court within a period of one week from the date of receipt of a copy of this order and file a petition to recall P.W.7 and P.W.8, the petitioner to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) before the Trial Court. Further directed that the Trial Court shall allow the Recall Petition and fix a date and Recall the witnesses namely PW7 & PW8.

2. The petitioner sought to modify the said order passed in Criminal Original Petition in the present Crl.M.P.No. 16418 of 2019, stating that the petitioner was unable to deposit the amount of Rs.10,000/- within the stipulated time. Further, it is submitted that petitioner was working only as a temporary employee and from the year 2008, he is without any employment and without any source of income.

3. When the case came up on 12.11.2019, the petitioner was directed to deposit the amount of Rs.10,000/- on or before 14.11.2019. The petitioner had paid the amount of Rs.10,000/- before the Chief Judicial Magistrate, Thirupur,

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and a Memo to that effect is filed. The learned Additional Public Prosecutor submitted that the amount has been paid.

4. Considering the same, the petitioner is directed to file the Recall Petition as permitted by this Court in CrI.O.P.No. 18989 of 2019, by its order dated 22.07.2019. Thereafter, the Trial Court to fix a date and recall the witnesses. On the date of the appearance of the witnesses, before the trial Court, the petitioner shall cross-examine the witnesses on the same day without any further delay.

5. Accordingly, the Criminal Miscellaneous petition is allowed.

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20.11.2019

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Note: Issue Order Copy on 25.11.2019

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