

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2019

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

Cr1.O.P.No.22782 of 2018
and
Cr1.M.P.No.12686 of 2018

M.Nandha Kumar @ Narain ...Petitioner/Petitioner/Accused

Vs.

T.N.Anantha Raman ...Respondent/Respondent/Complainant

Prayer: Criminal Original Petition filed under Section 482 Cr.P.C. to call for the records of the order passed in C.M.P.No.7897 of 2018 in C.C.No.753 of 2015 passed by the learned Metropolitan Magistrate Court, Fast Track Court IV, George Town, Chennai and set aside the order passed by the lower Court.

For Petitioner : M/s.Nathan and Associates
For Respondent : Mr.Subbarayalu

O R D E R

This Criminal Original Petition has been filed to call for the records of the order passed in C.M.P.No.7897 of 2018 in C.C.No.753 of 2015 passed by the learned Metropolitan Magistrate Court, Fast Track Court IV, George Town, Chennai

2 The petitioner's application under Sections 315 Cr.P.C., seeking to permit him to adduce oral and documentary evidence on the defence side came to be rejected on the ground that the petitioner had been questioned under Section 313 Cr.P.C., and the case was already posted for defence witnesses and in spite of several opportunity, the petitioner had not utilized the same.

3 Today, when the matter is called, the learned counsel for the respondent/complainant submitted that he has no objection, if at all petitioner's request to adduce oral and documentary evidence on the defence side is allowed, provided

such an opportunity should be completed within a stipulated time.

4 In my view, if such a direction is given, it would not only entitle the Court to come to a just and fair conclusion, but also the proceedings can be completed as expeditiously.

5 In the light of the above observations, the petitioner herein is permitted to file an application under Section 315 Cr.P.C., before the learned Metropolitan Magistrate Court, Fast Track Court IV, George Town, Chennai, and on receipt of such application, the learned Metropolitan Magistrate, Fast Track Court IV, George Town, Chennai, shall permit the petitioner to adduce the oral and documentary evidence on the defence side and ensure that such an evidence is completed at least within a period of three weeks from the date of receipt of such application. If necessary the trial Court shall complete such an evidence on a day to day basis.

6 With the above directions, this Criminal original Petition is disposed of. Consequently, connected Criminal Miscellaneous Petition is disposed of.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

sbn/klt

To

The Metropolitan Magistrate Court,
Fast Track Court IV, George Town,
Chennai.

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and
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RJI(CO)
GMV(10/10/2019)