

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

CRL.O.P.No. 7940 of 2018
and CrI.M.P. 4076 of 2018

1. Dhanapal,
S/o. Muthusamy
 2. Lakshmanasamy,
S/o. Mallanaicker
- Petitioners/Accused

Vs.

Inspector of Police,
Uthukuli Police Station,
Tiruppur District.
(Crime No.54/2012)

.... Respondent

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C. praying to set aside the order dated 03.01.2018 made in C.M.P. No.6870 of 2017 in C.C. No.584 of 2012 on the file of the Judicial Magistrate, Avinashi.

For Petitioners: Mr.R.Arun Dattan

For Respondents: Mr.K.Prabakar,
Addl. Public Prosecutor

सत्यमेव जयते
O R D E R

This Criminal Original Petition has been filed challenging the order passed in C.M.P. No.6870 of 2017 in C.C. No.584 of 2012, dated 03.01.2018, thereby dismissing the petition filed by the petitioners under Section 311 of CrI.P.C. for cross-examining the P.W.1.

2. It is seen that this petition was listed for admission on 16.03.2018 and on the request of learned counsel appearing for petitioners, again it was adjourned to 06.04.2018. Thereafter, the learned counsel for petitioners did not take any steps to bring the matter for admission. Thereafter, it is pending for the past two years without even admitting the above petition. It

shows that the petitioners have no interest to proceed further in this matter. Therefore, after the period of two years, this court is not inclined to entertain this petition that too it was filed challenging the order of dismissal of recalling petition filed under Section 311 of CrI.P.C. Accordingly, this Criminal Original Petition is dismissed. Now, the learned Additional Public Prosecutor would submit that the criminal case in C.C. No.584 of 2012 has been transferred from the file of Judicial Magistrate, Avinashi to the file of Judicial Magistrate, Uthukulli and renumbered as C.C.No.121 of 2019. Therefore, the Trial Court viz., learned Judicial Magistrate, Uthukuli is directed to complete the trial in C.C.No.121 of 2019 within a period of six months from the date of receipt of the copy of this order. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1.The Judicial Magistrate, Uthukuli,

2.Inspector of Police,
Uthukuli Police Station,
Tiruppur District.

3.The Public Prosecutor,
High Court of Madras,
Chennai.

CRL.O.P. No. 7940 of 2018

SAI (CO)
RMP (01/10/2020)

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