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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

Crl.O.P.No.4166 of 2020 and

Crl.MP.No.2382 of 2020

S.Palanisamy

...Petitioner

Vs.

M.Vasanthi

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to set aside the order dated 03.02.2020 passed by the Judicial Magistrate No.1, Gobichettipalayam in CMP.No.7527 of 2019 in STC.No.20 of 2016 dated 03.02.2020.

For Petitioner : Mr.R.N.Amarnath

For Respondent : Mr.K.Premnath

ORDER

This Criminal Original Petition has been filed to set aside the order dated 03.02.2020 passed by the learned Judicial Magistrate No.1, Gobichettipalayam in CMP.No.7527 of 2019 in STC.No.20 of 2016.

2. It is seen that the petitioner, who wanted to examine one, Ramasamy on his side and mark evidence filed the petition in CMP.No.7527 of 2019 in STC.No.20 of 2016 before the court below which was dismissed on 03.02.2020, against which he has filed this criminal original petition. However, in order to give one more opportunity to the petitioner, this Court is inclined to allow this petition. Accordingly, the order dated 03.02.2020 passed by the learned Judicial Magistrate No.1, Gobichettipalayam in CMP.No.7527 of 2019 in STC.No.20 of 2016, is hereby set aside and the petitioner is permitted to examine the above said person on his behalf and mark evidence on the date fixed by the court below on payment of necessary charges. If the petitioner fails to examine him on the said date, the trial Court is directed to proceed with trial in accordance with law. Further, considering the case is of the year 2016, the Judicial Magistrate No.1, Gobichettipalayam is directed to complete the trial in STC.No.20 of 2016 within a period of three months from the date of receipt of copy of this order.



3. With the above directions, the criminal original petition is allowed. Consequently, connected miscellaneous petition is closed.

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s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To
The Judicial Magistrate No.1,
Gobichettipalayam

+1 cc to M/s.SP.yuvaraj Advocate sr22880
+1 cc to M/s.R.N.Amarnath Advocate sr23092

Cr1.O.P.No.4166 of 2020

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