



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 06/03/2020

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL MP (MD) .Nos.2325 and 2326 of 2020
in
CRL OP (MD) . No.3089 of 2020

John William,
S/o.Arul, Mullai Nagar, Kadachanendal,
Madurai District.

... Petitioner/Accused
(in both petitions)

Vs

State rep by
The Inspector of Police,
Appan Thirupathi Police Station,
Madurai, in Cr No.47/2017.

... Respondent/Complainant
(in both petitions)

For Petitioner : M/s.R.Sivakumar,
Advocate.

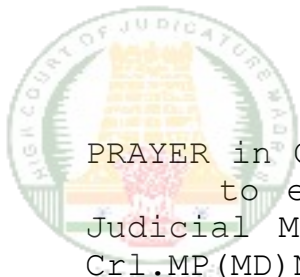
For Respondent : Mr.A.Robinson,
Government Advocate (Crl.Side)

(in both petitions)

PETITIONS FOR MODIFICATION AND EXTENSION OF TIME Under Sec.482 of
Cr.P.C

PRAYER in Crl.M.P. (MD)No.2325 of 2020:-

to modify the terms and condition of the order of this Hon ble
Court datd 21.02.2020 in Cr.OP(MD)No.3089 of 2020 and Crl.MP(MD)
No.1631 of 2020 and reduced the cost the deposited before the Lower
Court



PRAYER in Crl.M.P.(MD)No.2326 of 2020:-

to extend the time deposit the cost amount before the Chief Judicial Magistrate Court, Madurai in Crl.OP(MD)No.3089 of 2020 in Crl.MP(MD)No.1631 of 2020 on the file of this Hon'ble Court

PRAYER in Crl.O.P.(MD)No.3089 of 2020:-

This petition is filed under section 482 of Cr.P.C., praying this Court to call for the records relating to the Crl.M.P.No.1522/2019 and set aside the order of dismissal dated 09.01.2020.

COMMON ORDER : The Court Made the following order :-

The petitioner had earlier filed Crl.O.P.(MD)No.3089 of 2020 for setting aside the order passed by the Court below dismissing his recall petition filed under Section 311 of Cr.P.C. While allowing the said Criminal Original Petition vide order dated 21.02.2020, this Court had directed the petitioner to deposit a sum of Rs.14,000/- (Rupees Fourteen Thousand only) on or before 24.02.2020. The petitioner has not complied with the said direction. He has therefore, come up with this modification petition, seeking not only an extension of time but also reduction of the said amount.

2.The petitioner had pleaded his financial difficulties in the matter of mobilising the said amount. The petitioner's request appears to be reasonable. Therefore, the cost amount is modified and reduced to Rs.6,000/- (Rupees Six Thousand only). The petitioner shall deposit the said amount before the Court below on or before 13.03.2020. On such deposit being made, the trial Court shall disburse a sum of Rs.2,000/- (Rupees Two Thousand only) to each of the witnesses who are sought to be recalled namely P.W.1, P.W.2 and P.W.9. The order dated 21.02.2020 passed by this Court will remain intact in other aspects.

3.Accordingly, this Criminal Original Petition stands allowed.

4.In view of the order passed in the Crl.M.P.(MD)No.2325 of 2020, Crl.M.P.(MD)No.2326 of 2020 is also disposed of on the same directions.

Sd/-

Assistant Registrar(CS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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TO

1. The Chief Judicial Magistrate, Madurai.

2. The Inspector of Police,
Appan Thirupathi Police Station,
Madurai.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

ORDER in
CRL MP (MD) Nos.2325 and 2326 of 2020
in CRL OP (MD) . No.3089 of 2020
Date : 06/03/2020

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TR (06.03.2020) 3P 4C