

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.02.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

CRL.O.P.No.2152 of 2021

C.Manivannan

...Petitioner/Accused No.4

-vs-

The State Represented by its
The Inspector of Police,
EOW Wing II Unit,
Coimbatore.

...Respondent/Complainant

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the Special Judge, Special Court under TNPID Act at Coimbatore to extend the time of order dated 16.07.2019 passed in CMP No.1548 of 2019 in C.C.No.14 of 2014 for complying conditions by petitioner.

For Petitioner : Mr.K.Myilsamy

For Respondent : Mr.M.Mohamed Riyaz
Additional Public Prosecutor

ORDER

This petition has been filed seeking for extension of time for payment of Witness Batta.

2.The petitioner who has been arrayed as A4 was facing trial before the Court below for offence under TNPID Act. The petitioner filed an application under Section 311 Cr.P.C. to recall certain prosecution witnesses for cross-examination. This application came to be allowed by the Court below by an order dated 16.07.2019 and the petitioner was directed to pay witness batta of Rs.31,900/- on or before 26.07.2019, failing which, the application will stand automatically dismissed.

3.The petitioner aggrieved by the condition imposed by the

Court below, approached this Court and filed Crl.O.P.No.3275 of 2020 challenging the order. This Court did not entertain the petition and gave liberty to the petitioner to seek for extension of time to pay the batta by filing an appropriate petition.

4.Pursuant to the liberty granted by this Court, the present petition has been filed before this Court seeking for extension of time to comply with the order passed by the Court below.

5.The learned counsel for the petitioner submitted that there has been no progress in the trial before the Court below and the status quo as it prevailed on the date of passing of the order i.e., on 16.07.2019, continues even today. The learned counsel submitted that the petitioner will pay the batta within the time stipulated by this Court.

6.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing on behalf of the respondent.

7.Taking into consideration the facts and circumstances of the case and in order to afford one last opportunity to the petitioner, the petitioner is directed to pay the witness batta as fixed by the Court below on or before 16.02.2021. It is made clear that if the petitioner does not pay the batta within the time stipulated by this Court, the order passed by the Court below in CMP No.1548 of 2019 shall stand vacated.

8.This Criminal Original Petition is disposed of with the above directions and the Court below is directed to complete the proceedings in C.C.No.14 of 2014, within in period of three months from the date of receipt of copy of this order.

Sd/-

सत्यमेव जयते
Assistant Registrar

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Sub Assistant Registrar

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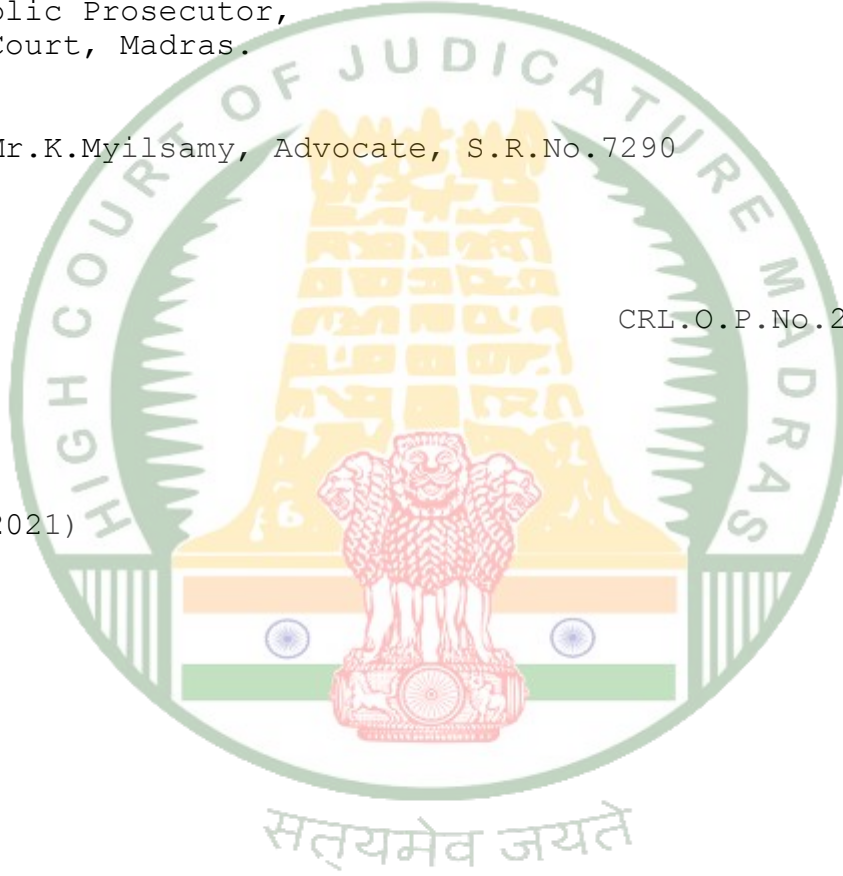
ssr

To

1. The Special Judge, Special Court under TNPID Act,
Coimbatore.
 2. The Inspector of Police,
EOW Wing II Unit,
Coimbatore.
 3. The Public Prosecutor,
High Court, Madras.
- +1 cc to Mr.K.Myilsamy, Advocate, S.R.No.7290

CRL.O.P.No.2152 of 2021

AJB (CO)
RN(10/02/2021)



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