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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2021

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

CRL.O.P.NOS.4288 AND 12749 OF 2017

CRL.O.P.NO.4288 OF 2017

Nandhi Varman

... Petitioner

Versus

V.Raju

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 of Cr.P.C. to direct the learned Judicial Magistrate No.I, Pollachi to dispose of STC No.28/2015 pending on the file of Judicial Magistrate No.I, Pollachi expeditiously.

For Petitioner : Mr.J.R.Prabhakaran

For Respondent : Mr.I.Abrar Md.Abdullah

CRL.O.P.NO.12749 OF 2017

V.Raju

... Petitioner

.Vs.

K.Nandivarman

... Respondent

PRAYER:-

Criminal Original Petition filed under Section 482 of Cr.P.C. to set aside the order dated 20.03.2017 passed in Criminal Miscellaneous Petition No.4992 of 2016 in S.T.C.No.28 of 2015 on the file of the Judicial Magistrate No.I, Pollachi.

For Petitioner : Mr.I.Abrar Md.Abdullah

For Respondent : Mr.J.R.Prabhakaran



COMMON ORDER

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Crl.O.P.No.4288 of 2017 has been filed for directing the trial Court to dispose of the case in S.T.C.No.28 of 2015, which was pending from 2015 expeditiously and Crl.O.P.No.12749 of 2017 has been filed as against dismissal of Crl.M.P.No.4992 of 2016 filed under Section 311 Cr.P.C by the accused. It is a case in counter.

2. Heard the learned counsel for petitioner and the learned counsel for respondent.

3. As the case is pending for a long time for trivial issue, this Court is of the view that this is a fit case for giving a direction to the trial Court to dispose of the case within a period of six months and by giving an opportunity to the accused to cross-examine PWs 1 to 4 as a last chance. It is made clear that PWs 1 to 4 shall be cross-examined on the date fixed by the trial Court on the same day. If the accused fails to cross-examine the witnesses on the date fixed by the trial Court, the accused will loose the right to cross-examine the witnesses. This order has been passed in order to give fair opportunity. If the accused is fails to avail the opportunity once again, the right of cross-examination will be forfeited. The trial Court shall dispose of the matter within a period six months from the date of receipt of a copy of this order.

Instant Criminal Original Petitions are disposed of with the above direction.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

gpa

To

1. The Judicial Magistrate No.I,
Pollachi.



2. The Public Prosecutor,
Madras High Court,
Chennai.

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+1cc to Mr.J.R.Prabhakaran, Advocate, S.R.No.58468

+2ccs to Mr.I.Abrar Md.Abdullah, Advocate, S.R.No.58664 & 58665

CRL.O.P.NOS.4288 AND 12749 OF 2017

PMK (CO)

PBS/01/12/2021