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Crl.O.P. (MD)No.6081 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2021

CORAM:

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P. (MD)No.6081 of 2019

and

Crl.M.P. (MD)Nos.3956 & 3957 of 2019

1.Pasumpon

2.P.Sakkammal

... Petitioners

vs.

1.The Sub-Inspector of Police,
Veerapandi Police Station,
Theni.

... Respondent/Complainant

2.Periyamuthu

3.Karuppasamy

4.Katturaja

5.Paulthan

6.Saravanan

7.Mootamandai

8.Chinnayadi

9.P.T.Sannasi

10.Rasigan

11.Pomman

12.Eswari

13.Sannasi

... Respondents/

Accused 1 to 3, 5 to 13

PRAYER : Criminal Original Petition filed under Section 407 Cr.P.C, to withdraw and transfer the Criminal Case in C.C.No.326 of 2013 on the file of the learned Judicial Magistrate, Theni District to any Judicial Magistrate Court at Madurai or any other competent Court except Madurai District which will be convenient both parties.

<https://hcservices.ecourts.gov.in/hcservices/>



For Petitioners : No appearance

For Respondents : Mr.RMS.Sethuraman
Additional Public Prosecutor for R1
No appearance for R3

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O R D E R

When the matter was taken up for hearing on 22.11.2021, there was no representation for the petitioners and on considering the submission made by the learned Additional Public Prosecutor, this Court has directed the Registry to get a report from the learned Judicial Magistrate, Theni, as to the stage of C.C.No.326 of 2013, pending on his file.

2.The learned Judicial Magistrate, Theni, submitted a report on 04.12.2021 stating that the case was pending for a long time for examination of L.W.1 to L.W.3 and the prosecution side also represented that L.W.2 was adamantly refusing to give evidence by making some false allegation for the past eight years and hence, they are not in a position to bring the witnesses before the Court.

3.When the matter was taken up on 22.11.2021, there was no representation for the petitioners and hence the matter was ordered to be posted under the caption 'for dismissal'. When the matter is taken up for hearing today, there is no representation on behalf of the petitioners. In view of the same, this Criminal Original Petition is dismissed for default. Consequently, connected miscellaneous petitions are closed.

4.However, the prosecution is directed to take necessary steps for production of witnesses before the trial Court.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

csm

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the person concerned.

<https://hccs.cemiln.org>



Crl.O.P. (MD) No.6081 of 2019

To

1.The Judicial Magistrate, Theni.

2.The Sub-Inspector of Police,
Veerapandi Police Station,
Theni.

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

Crl.O.P. (MD) No.6081 of 2019

and

Crl.M.P. (MD) Nos.3956 & 3957 of 2019

14.12.2021

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