



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE **G. ILANGO VAN**

Crl.O.P.(MD)No.12386 of 2021

and

Crl.M.P (MD) .No.6333 of 2021

WEB COPY

1.R.S.Sornam

2.M.Chinnamuthu

3.C.Arumugam

4.P.Shanmugavel

5.E.Jeyakumar

... Petitioners

vs.

The Inspector of Police,
CCIW, CIR,
Thoothukudi.

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for records in Crl.M.P.No.3322 of 2021 in C.C.No.24 of 2012 and set aside the order dated 23.04.2021 passed by the Judicial Magistrate No.2, Tirunelveli.

For Petitioners	: Mr.S.Muthumalairaja
For Respondent	: Mr.R.M.Anbunidhi
	Additional Public Prosecutor

O R D E R

This petition has been filed to call for records in Crl.M.P.No.3322 of 2021 in C.C.No.24 of 2012 and set aside the order dated 23.04.2021 passed by the Judicial Magistrate No.2, Tirunelveli.

2.The learned counsel for the petitioner would submit that the issue involved in the present Criminal Original petition is covered by the order of this Court, dated 23.06.2021, passed in Crl.O.P.(MD) No.7711 of 2021.

3.Heard both sides.

4.In view of the order passed by this Court in Crl.O.P.(MD) No.7711 of 2021, dated 23.06.2021, this Criminal Original Petition is allowed with the following directions:-



(i)The petitioner must deposit Rs.1500/- (Rupees One Thousand and Five Hundred Only) as Cost to the each witness before the Trial Court within 15 days from the date of resumption of normal work.

(ii)The Trail Court may fix a date for cross examination of the witnesses and shall send summons to the witnesses.

(iii)On the date fixed, the petitioner must cross examine the witness without fail. If any failure is noticed, then the right of the cross examination of the witnesses will be lost.

5.The entire direction must be completed within a period of four months from the date of receipt of copy of this order. In case, the concerned Judicial Magistrate wants further time than sent a letter to the Registry of this Court to extend the time. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 advocate/litigant concerned.

To

1.The Judicial Magistrate No-II,
Tirunelveli.

2.The Inspector of Police,
CCIW, CIR, Thoothukudi.

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

CrI.O.P. (MD)No.12386 of 2021

27.08.2021

RK (05.10.2021) 2P 4C