



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Monday, the Fifteenth day of November Two Thousand and Twenty One
PRESENT

WEB COPY

The Hon`ble Mrs.Justice R.THARANI

CRL MP(MD) No.7147 of 2021
IN
CRL RC(MD)No.647 of 2021

NOORUL HITHAYABEEVI

... PETITIONER/DEFACTO COMPLAINANT-PW1

Vs

1 THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
CR.NO.10 OF 2009

... RESPONDENT/COMPLAINANT

2 N.ANARKALI

3 SHAJITHA PRAVEEN

... RESPONDENTS/PROPOSED ACCUSED

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to interim stay for all further proceedings in C.C.No.54 of 2018 in Cr.No.10 of 2009 on the file of the Learned Judicial Magistrate No.1, Sivakasi.

PRAYER IN CRL RC. (MD)No.647 of 2021:

To call for the records from the Lower Courts and set aside the order passed by the Learned Judicial Magistrate No.1, Sivakasi in Cr.M.P.No.8340 of 2019 dated 22.07.2021 same was dismissed by the order of the Learned Judicial Magistrate No.1, Sivakasi in Cr.M.P.No.8340 of 2019 dated 22.07.2021 in C.C.No.54 of 2018 by allowing this Revision.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.S.M.A.JINNAH, Advocate for the petitioner and of Mr.R.M.ANBUNITHI, Additional Public Prosecutor on behalf of the 1st Respondent and not appeared for Respondents 2 & 3 either in person or through by an advocate, the court made the following order:-

This petition has been filed to stay the further proceedings of the order in C.C.No.54 of 2018, in Crime No.10 of 2009 on the file of the Judicial Magistrate No.1, Sivakasi.



2. On the side of the petitioner, it is stated that while the revision is pending before this Court, the trial Court is pressurizing the trial and is examining the witnesses.

3. On the side of the prosecution, it is stated that the witness warrant is pending against the petitioner and the petitioner is not co-operating with the trial.

4. As a witness, it is the duty of the complainant to present before the Court, on receipt of summons. In view of the above submissions, the petitioner is directed to appear before the trial Court and there is no necessity for a stay at this juncture. Hence, this Petition is dismissed.

sd/-

15/11/2021

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/ /2021

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDICIAL MAGISTRATE NO.I
SIVAKASI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SIVAKASI, VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

CRL MP(MD) No.7147 of 2021

IN

CRL RC(MD) No.647 of 2021

Date :15/11/2021

SA/PN/SAR.4/18.11.2021/2P/5C