



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2021

CORAM :

THE HONOURABLE **Mr. JUSTICE G.ILANGOVAN**

Crl.O.P.(MD)No.16931 of 2021 and
Crl.MP(MD) No.9163 of 2021

1.Paulraj
2.Mariappan

... Petitioners/Petitioners/Accused

Vs.

The State rep by
The Inspector of Police,
Nazareth Police Station,
Tuticorin District,
Crime No.119/2013

... Respondent/Respondent/Complainant

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records relating to the order passed by the learned Judicial Magistrate, Sathankulam in Crl.M.P.No.2779/2021 in CC No.127/2013, dated 15.09.2021 and set aside the same.

For Petitioner
For Respondent

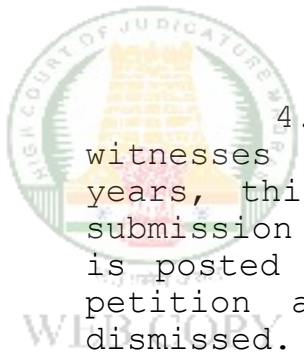
: Mr.T.A.Ebenezer
: Mr.RMS Sethuraman
Additional Public Prosecutor

ORDER

This petition has been filed to call for the records relating to the order passed by the learned Judicial Magistrate, Sathankulam in Crl.M.P.No.2779/2021 in CC No.127/2013, dated 15.09.2021 and set aside the same.

2.The petitioners are facing charges under Section 392 IPC, before the trial Court. PW 1 and PW 2 were chief and cross examined on 01.02.2018 and after lapse of three years, this petition came to be filed without making any proper reason. With regard to identification parade, sufficient cross examination was not done by the counsel.

3.The learned Additional Public Prosecutor would submit that after completion of trial process, the case is posted to 06.11.2021 for judgment and at this stage, this petition has been filed.



4. Whatever it may be, it is seen that cross examination of witnesses was completed on 01.02.2018 and after lapse of three years, this petition came to be filed. It is also seen from the submission of the learned Additional Public Prosecutor that the case is posted for pronouncement of judgment. I find no merit in this petition and accordingly, this Criminal Original petition is dismissed. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Vrn

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,
Sathankulam
- 2.The Inspector of Police,
Nazareth Police Station,
Tuticorin District,
Crime No.119/2013
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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MGJ/PM(15.11.2021) 2P 4C