



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 17.12.2021**

**CORAM:**

**THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR**

**CRL.OP(MD)No.16824 of 2019**

**and**

**Cr1.M.P(MD) No.9994 of 2019**

A.Askar Ali

... Petitioner

-VS-

B.Noushad

... Respondent

**PRAYER :** Criminal Original Petition filed under Section 482 Cr.P.C, to call for the records relating to the proceedings in Cr1.M.P.No.1211 of 2019 in S.T.C.No.327 of 2016, dated 06.07.2019, on the file of the learned Judicial Magistrate No.IV, Tiruchirappalli and may set aside the same by giving an opportunity to the petitioner to adduce oral evidence and to make relevant documents to prove his claim.

For Petitioner : Mr.K.P.Narayanakumar

For Respondent : Mr.R.Manickam

**ORDER**

This Criminal Original Petition has been filed seeking orders to call for the records relating to the proceedings in Cr1.M.P.No.1211 of 2019 in S.T.C.No.327 of 2016, dated 06.07.2019, on the file of the learned Judicial Magistrate No.IV, Tiruchirappalli and to set aside the same by giving an opportunity to the petitioner to adduce oral evidence and to make relevant documents to prove his claim.

2. The petitioner has challenged the order passed in Cr1.M.P.No.1211 of 2019 filed under Section 311 Cr.P.C to recall PW1 for marking of document.

3. When the matter is taken up for hearing today, the learned counsel for the respondent would submit that the matter was already settled between the parties and hence the complaint itself was withdrawn.



4. Recording the submission made by the learned counsel for the respondent, this Criminal Original Petition is dismissed as infructuous. Consequently, the connected Criminal Miscellaneous Petition is closed.

WEB COPY

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

ebsi

**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.IV,  
Tiruchirappalli.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate ( SR-39742[F] dated 21/12/2021 )

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