



Crl.O.P.No.3891 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2022

CORAM:

THE HONOURABLE MR. JUSTICE **N.SATHISH KUMAR**

**Crl.O.P.Nos.3891, 3914, 3910,
3906, 3940 & 4024 of 2022**

R. Muthusamy

... Petitioner
in all petitions

Vs

K.R.Gurusamy

... Respondent
in Crl.OP.Nos.3891
& 3906 of 2022

G.Geetha

...Respondent
in Crl.OP.Nos.3914, 3940,
4024 & 3910 of 2022

Common Prayer: Criminal Original petition filed under Section 482 of the Code of Criminal Procedure to set aside the order dated 03.12.2021 in Crl.MP.No.2561, 2567, 2576, 2562,2568 & 2569 of 2021 in STC.No.5560, 5559, 5560, 5559 of 2015 & CC.No.96 of 2012 on the file of the Judicial Magistrate Court, Palladam.

For Petitioner : Mr.S.Gunaseelan
in all petitions

For Respondent : Mr.A.V.Raja
in all petitions



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COMMON ORDER

These Criminal Original Petitions have been filed to set aside the order dated 03.12.2021 in Crl.MP.No.2561, 2567, 2576, 2562,2568 & 2569 of 2021 in STC.No.5560, 5559, 5560, 5559 of 2015 & CC.No.96 of 2012 on the file of the Judicial Magistrate Court, Palladam.

2. The learned counsel appearing for the petitioner submitted that the case is pending for more than 10 years and that the petition filed by the respondent before the trial Court is only to drag on the proceedings and has not filed any documents in support of the petition. Therefore, he prayed to allow these petitions by setting aside the order of the trial Court.

3. Heard both sides.

4. On perusal of the order passed by the trial Court, I do not see any infirmity in the order, however taking note of the fact that the case is pending for more than 10 years, the learned trial Judge shall summon DW1 and fix a date for examining DW1 and on the date fixed by the trial Court,



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DW1 shall produce all documents, evidence on the same date and complete cross examination on the very same date. If the accused fails to adduce documents or tender any evidence on the date fixed by the trial Court, he will lose his right and thereafter the trial Court is directed to proceed with trial in accordance with law and dispose of the same within a period of two months from the date of receipt of a copy of this order.

5. With the above directions, these Criminal Original Petitions are disposed of.

05.07.2022

Index : Yes/No
Internet : Yes/No
Speaking/Non speaking order
dpq

To

1. The Judicial Magistrate Court,
Palladam.
2. The Public Prosecutor,
High Court of Madras.

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N. SATHISH KUMAR, J.

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