



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2022

C O R A M

THE HONOURABLE MR.JUSTICE N. SATHISH KUMAR

CRL. O.P. NO. 8061 OF 2018
AND CRL.M.P.NO.4147 OF 2018

A.Sambandam

...Petitioner

Versus

The State Rep. By The Inspector of Police,
S-15, Selaiyur Police Station,
Tambaram, Chennai.

...Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order passed in C.M.P.NO.5820/2017 in C.C.No.403 of 2008 on 28.11.2017 by the Learned Judicial Magistrate, Tambaram and permit the petitioner to produce the document before the Court and cross examine the witnesses.

For Petitioner : M/S P.Thiagarajan

For Respondent : Mr. R.Kishore Kumar

Government Advocate (Criminal Side)

O R D E R

This Petition is filed to set aside the the order passed by the Judicial Magistrate Tambaram in CMP.No. 582 of 2017 in CC.NO.403 of 2008 and permit the petitioner to produce the document before the court and cross examine the witnesses.

The above CMP has been filed before the Trial Court to take on file the petition said to have been filed by the petitioner by way of speed post as a document while examining PW1. The Trial court dismissed the said Petition mainly on the ground that the CMP filed is already dismissed on 28.09.2017 pointing out that the speed post is not available in the bundle and also pointing that any petition before the Court shall be filed in proper mode and not by way of speed post. As against the said order the present Criminal Original Petition is filed.

It is to be noted that any document to be filed, the same to be filed in a proper mode and not by way of post, which has



been rightly recorded by the trial Court. The only grievance is that the petitioner wants to mark the complaint said to have given by the defacto complainant to the police to elicit the contradiction. It is for the petitioner to summon the concerned police to mark the above document, not by way of post. In such a view of the matter, I don't find any merits in this matter.

Accordingly, the Criminal Original Petition is dismissed. The Trial Court is directed to conclude the proceedings within a period of two (2) months, from the date of receipt of copy of this Order. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ggs/sha

To

1. The Inspector of Police,
S-15, Selaiyur Police Station,
Tambaram, Chennai.
2. Judicial Magistrate, Tambaram
3. The Public Prosecutor,
High Court, Madras.

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PL(CO)
KKV/04/02/2022