



Crl.O.P.No.14292 of 2022

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N.SATHISH KUMAR, J.

The Criminal Original Petition listed today under the caption “for being mentioned” at the instance of the learned counsel for the petitioner.

2. Today when the matter is taken up, the learned counsel appearing for the petitioner would submit that in the order dated 22.06.2022 made in Crl.O.P.No.14292 of 2022, in paragraphs 1 and 2 of the order it is typed as “P.W.1” instead of “**D.W.1**” and hence, the same may be rectified.

3. Therefore, the Registry is directed to carry out the correction in the paragraphs 1 and 2 of the order as “**D.W.1**” and issue fresh order copy to the petitioner.

17.10.2022



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WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2022

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.14292 of 2022

N.Ganesan
S/o.Nataraj

... Petitioner

Vs.

Mr.Anbarasu
S/o Swaminathan

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., praying to set aside the order dated 12.04.2022 made in Crl.M.P. No. 690 of 2022 in C.C.No. 82 of 2015 by the learned Judicial Magistrate, Avinashi by allowing this Criminal Original Petition.

For Petitioner : Mr.R.Prabakar

ORDER

This Criminal Original Petition has been filed challenging the order passed by the learned Judicial Magistrate, Avinashi allowing the



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petition to recall and reopen and to cross-examine P.W.1 on the complainant side.

2. The learned counsel appearing for petitioner would submit that at the fag end of the argument, this petition has been filed. But, the learned trial judge without appreciating the facts, allowed the petition. At the outset, I am unable to persuade such contention. Admittedly, P.W.1 was examined and only for the cross-examination of P.W.1, the learned Trial Judge has allowed the petition on payment of cost of Rs.1000/- and in fact, mere giving an opportunity to cross-examine P.W.1 cannot be said that the order of learned trial judge found to be infirmity. Hence, this petition is liable to be dismissed. Accordingly, this Criminal Original Petition stands dismissed.

22.06.2022.

Index: Yes/No

Internet: Yes

Speaking/non-speaking order

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