



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Cr1.O.P.No.14278 of 2022

Madeena Begaum,
W/o. Jaffurulla

... Petitioner

Versus

Jaburulla,
S/o. Abdul Khader

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., praying to set aside the order dated 20.04.2022 in C.M.P. No.699 of 2020 on the file of Judicial Magistrate, Dharapuram.

For Petitioner : Mr.K.Sudhakar

O R D E R

Challenging the order passed by learned Judicial Magistrate Court, Dharapuram dismissing the petition seeking the prayer for examining defence witness, the present petition has been filed.

2. The learned counsel appearing for petitioner would submit that when the petitioner has filed the petition for examination of defence witness on her side, the learned trial judge dismissed the petition on the ground of delay in cross-examination of complainant. His submission is that if one more chance is given, the petitioner will examine two witnesses only on her side on the same day.

3. In such view of the matter and also considering his submissions, in order to give fair opportunity, this petition is allowed and the order of lower court passed in Cr1.M.P.No. 699 of 2020 in C.C.No.183 of 2014 is set aside. The trial court shall fix a particular date for issuing summons to the defence witnesses viz., two of witnesses, one is petitioner herself and another is the Bank Manager, Karur Vysya Bank, Dharapuram for examination and the witnesses shall be cross-examined on the same day. The trial court shall dispose of the matter within a period of two months from the date of receipt of copy of this



order. With the above direction, this Criminal Original
Petition is allowed.

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Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

rpp

To:

1.The Judicial Magistrate, Dharapuram.

2.Do Through The Chief Judicial Magistrate,
Dharmapuri.

+1cc to Mr.K.Sudhakar, Advocate, S.R.No.38106

CRL.O.P.No.14278 of 2022

SV(CO)
SB(06/07/2022)