



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.06.2022

CORAM:

THE HON'BLE MR.JUSTICE N.SATHISH KUMAR

Crl.O.P.No.14339 of 2022

Ravikumar

... Petitioner/Accused

Versus

Jaculin Mary

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Cr.P.C., to set aside the impugned order in Crl.M.P.No.1381 of 2022 in C.C.No.199 of 2017 order dated 13.06.2022 and allow the petition filed by the petitioner under section 311 of Cr.P.C in Crl.M.P.No.1381 of 2022 on the file of the Learned District Munsif cum Judicial Magistrate at Thirukazhukundram.

For Petitioner : M/s. S.Manoharan

O R D E R

This Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the impugned order in Crl.M.P.No.1381 of 2022 in C.C.No.199 of 2017 order dated 13.06.2022 and allow the petition filed by the petitioner under section 311 of Cr.P.C in Crl.M.P.No.1381 of 2022 on the file of the Learned District Munsif cum Judicial Magistrate at Thirukazhukundram to recall the evidence of P.W.1 for the purpose of further cross examination.

2.Heard the learned counsel for the petitioner. Perused the impugned order.

3.The petitioner cannot delay the proceedings as he desires. However, considering the charges, as a last chance, one more opportunity shall be granted to the petitioner to recall P.W.1 for the purpose of cross examination subject to payment of cost of Rs.2,000/- (Rupees Two Thousand only) payable



to the Tamil Nadu Advocates' clerks' Association, Madras, High Court Campus, Chennai within a period of one (1) week and shall produce the receipt of the same before the trial Court. The trial Court on receipt of such deposit, shall summon the P.W.1 for cross examination on any specific date and on the same day, the cross examination to be completed. In any event, failure to cross examine the witness on the same day, the petitioner will have no further right to seek for examination.

4. With the above direction, this Criminal Original Petition stands disposed of.

Sd/-
Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

kas

To

1. The District Munsif
cum Judicial Magistrate,
Thirukazhukundram.
2. The Secretary,
Tamil Nadu Advocates 'Clerks'
Association,
Madras High Court Campus.

+1cc to Mr.S.Manoharan, Advocate, S.R.No.39068

CRL.O.P.No.14339 of 2022

NRL (CO)
UMA (05/07/2022)