



Crl.O.P.No.30695 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2022

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.30695 of 2022

Dr.P.Tennyson

... Petitioner

Vs.

The State of Tamilnadu rep by
The Inspector of Police
Katpadi Police Station
Vellore District

... Respondent

PRAYER: Criminal Original Petition filed under Section 482 Cr.P.C. praying to withdraw the CC.No.26 of 2022 on the file of the Judicial Magistrate Katpadi and to transfer the same to any other court.

For Petitioner : Mr.P.Kannan

For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



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3. The learned Government Advocate (crl.side) for the respondent submitted that the petition filed by the petitioner is pending for alteration of charges.

4. At this juncture, learned counsel for the petitioner submitted that despite the opposition made by the petitioner, LW4 and LW6 were examined as PW2 and PW3. Therefore, they were not cross examined. The petitioner is now prepared to move appropriate petition for recalling PW2 and PW3 for the purpose of cross examination. If direction may be issued by this Court, the petitioner will be able to cross examine the witnesses PW2 and PW3.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (crl.side) for the respondent.

6. Considering the limited prayer sought by the petitioner, this court directs the learned Judicial Magistrate, Katpadi to dispose of the petition filed under Section 216 Cr.P.C., in Crl.M.P.No.3218 of 2022 in C.C.No.26 of 2022 for alteration of charges and then proceed with examination of further witness



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G.CHANDRASEKHARAN, J.

shk

in C.C.No.26 of 2022. The learned magistrate shall give one more opportunity to the petitioner for the purpose of cross examining the witnesses PW2 and PW3 on filing a petition, on merits and in accordance with law.

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

13.12.2022

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

shk

To

1.The Judicial Magistrate,
Katpadi.

2.The Inspector of Police
Katpadi Police Station
Vellore District.

3.The Public Prosecutor,
High Court of Madras.

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