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Crl.OP.No.3818 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.02.2023

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.3818 of 2023 and
Crl.M.P.No.2394 of 2023

Shanthi Devi Galada

... Petitioner

Vs.

G.Sheila Raju

... Respondent

PRAYER: This Criminal Original Petition filed under Section 482 of Cr.P.C., to issue direction to No.II Fast Track Court Metropolitan Magistrate Level at Allikulam Egmore, Chennai, to comply with the order dated 08.03.2019 in Crl.M.P.No.2822 of 2018 in C.C.No.2693 of 2013, before passing judgment in C.C.No.2693 of 2013.

For Petitioner : Mr.V.Johnson Yuvaraj
For Respondents : No appearance

ORDER

This Criminal Original Petition has been filed to issue direction to No.II Fast Track Court Metropolitan Magistrate Level at Allikulam Egmore, Chennai, to comply with the order dated 08.03.2019 in Crl.M.P.No.2822 of 2018 in C.C.No.2693 of 2013, before passing judgment in C.C.No.2693 of 2013.

2.The learned counsel for the petitioner submitted that petitioner filed



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Crl.M.P.No.2822 of 2018 for sending Ex.D4 and Ex.D5 to the handwriting expert's analysis for the reason that these documents had not been signed by the earlier representative of petitioner. The learned Metropolitan Magistrate, FTC-II, Allikulam, Egmore, allowed the petition on 08.03.2019. Thereafter due to Covid-19, the documents could not be sent to the handwriting expert. Petitioner filed a memo on 03.02.2023 for sending Ex.D4 and Ex.D5 to the handwriting expert as per the order passed by the learned Metropolitan Magistrate, FTC-II, Allikulam, Egmore, in Crl.M.P.No.2822 of 2018 on 08.03.2019. Till now no order is passed in this memo. Therefore, this petition.

3.This Court on going through the records finds that the learned Metropolitan Magistrate, FTC-II, Allikulam, Egmore, directed Ex.D4 and Ex.D5 to be sent for handwriting expert's analysis. This order was passed in Crl.M.P.No.2822 of 2018 on 08.03.2019. It is now submitted that due to Covid-19 situation prevailing then, the documents could not be sent to handwriting expert's analysis. Now a memo is filed for complying the order passed by the learned Metropolitan Magistrate, FTC-II, Allikulam, Egmore, on 08.03.2019. In the said circumstances stated by the learned counsel for the petitioner, the



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learned Metropolitan Magistrate, FTC-II, Allikulam, Egmore, is directed to pass appropriate orders on the memo dated 03.02.2023 in tune with the order passed in Crl.M.P.No.2822 of 2018 within a period of two weeks from the date of receipt of copy of this order.

4.With the above observations and direction, the Criminal Original Petition stands disposed of. Consequently, connected miscellaneous petition is closed.

20.02.2023

Internet : Yes / No
Index : Yes / No
Speaking / Non Speaking order
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G.CHANDRASEKHARAN,J.

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To

- 1.The Metropolitan Magistrate,
Fast Tract Court-II,
Allikulam,
Egmore.
- 2.The Public Prosecutor,
High Court of Madras, Chennai.

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