



Crl.M.P.No.3405 of 2023
in Crl.O.P.No.19470 of 2022

N.SATHISH KUMAR, J.

This Miscellaneous Petition has been filed seeking to recall the Order dated 24.08.2022 passed in Crl.M.P.No.12831 and 12833 of 2022 in Crl.O.P.No.19470 of 2022.

2. First of all, this Court is unable to comprehend how this petition seeking to recall the order dated 24.08.2022 is maintainable. Second aspect, on perusal of the allegations contained in the final report indicate that the defacto complainant and the accused were in a love affair from the year 2014, which continued for more than 8 years. The dispute arose only at the time when the accused refused to marry the defacto complainant. Hence, this Court, considering the relationship between the parties, granted a stay of further proceedings against the accused. Now the petitioner/second respondent has filed this petition to recall the stay order dated 24.08.2022.

3. Considering the nature of the allegations pressed into service, this Court is not inclined to recall the order, it is for the petitioner/second



respondent to canvass her case before the concerned portfolio judge, who is dealing with Section 482 Cr.P.C cases and argue the case on merits. Even the 164 statement is produced before this Court to contend that the same has been suppressed. I perused the same. On perusal of the same, this Court is of the definite view that it is nothing but clear relationship between the parties.

4. Accordingly, the recall petition is dismissed. Registry is directed to post this case before the concerned portfolio judge as per Roster.

17.07.2023

dhk



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