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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

Crl.O.P Nos.7140 & 7142 of 2023
and Crl.M.P Nos.4512 to 4515 of 2023

Mrs.G.Shanthi

Petitioner
in both Crl.O.Ps

vs.

Mrs.N.Chitra

Respondent
in both Crl.O.Ps

PRAYER in Crl.O.P.No.7140 of 2023: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.T.C.No.7526 of 2022 pending on the file of the Fast Track Judge II, Egmore, Allikulam, Chennai and set aside the Docket order passed in STC No.7526 of 2022 dated 14.03.2023 passed by the Fast Track Court II, Egmore, Allikulam, Chennai.

PRAYER in Crl.O.P.No.7142 of 2023: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records in S.T.C.No.7525 of 2022 pending on the file of the Fast Track Judge II, Egmore, Allikulam, Chennai and set aside the Docket order passed in STC No.7525 of 2022 dated 14.03.2023 passed by the Fast Track Court II, Egmore, Allikulam, Chennai.



In Both Cases

For Petitioner : Mr.M.A.Mathew Berchmans

For Respondent : Mr.T.R.Ravi

ORDER

These petitions have been filed against the docket orders that were passed by the Court below by closing the evidence of PW1 and posting the case for questioning under Section 313 of Cr.P.C.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondent.

3.When this Court entertained these petitions, this Court found that the Court below had proceeded further to pass the docket order in spite of an interim order passed by this Court in CrI.O.P.Nos.1886 & 1887 of 2023. Accordingly, this Court also directed the Registry to call for an explanation from the learned Fast Tract Court-II, Allikulam, Egmore, Chennai.

4.The learned Judge has also given an explanation dated 10.04.2023 to the effect that he proceeded further to pass such an order without taking notice of the stay order granted by this Court which was also extended from time to time. The explanation given by the learned Judge is accepted.



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5.The docket order passed by the Court below on 14.03.2023, is hereby set aside. The case will go back to the stage of cross-examination of PW1. The petitioner shall start cross-examining PW1 from the next date of hearing.

6.It is brought to the notice of this Court that the complaints in STC No.7525 of 2022 and 7526 of 2022 was transferred from the file of the Fast Track Court-II, Allikulam, Egmore, Chennai to the file of the XXV Metropolitan Magistrate, Egmore, Chennai.

7.These criminal original petitions are disposed of in the above terms and there shall be a direction to the XXV Metropolitan Magistrate, Egmore, Chennai to complete the proceedings in STC Nos.7525 of 2022 and 7526 of 2022, within a period of four months from the date of receipt of copy of this order. Consequently, connected miscellaneous petitions are closed.

01.08.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
SSR



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N. ANAND VENKATESH., J.

SSR

To

1. The Fast Track Judge II, Egmore, Allikulam, Chennai.
2. The Public Prosecutor,
High Court of Madras,
Madras.

Crl.O.P Nos.7140 & 7142 of 2023
and Crl.M.P Nos.4512 to 4515 of 2023

01.08.2023