



CrI.O.P.No.18980 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P No.18980 of 2023

and

CrI.M.P.No.12693 of 2023

T.S.Sadeesh Kumar

...Petitioner

vs.

C.Dayalan

...Respondent

PRAYER:

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order dated 11.07.2023 made in C.M.P.No.3917 of 2023 in STC.No.160 of 2021 on the file of Judicial Magistrate, Fast Track Court No.I, Erode by allowing the criminal original petition and permit the petitioner to reopen the case in STC.No.160 of 2021.

For Petitioners : Mr.C.S.Saravanan

ORDER

This criminal original petition has been filed challenging the order passed by the Court below in CMP.No.3917 of 2023 dated 11.07.2023 dismissing the application filed under Section 264(2) of CrPC to permit the petitioner to examine three witnesses.



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WEB COPY 2. This Court carefully heard the learned counsel for the petitioner and perused the materials available on record. It is seen from the order passed by the Court below that the petitioner had already filed a similar application in CMP.No.816 of 2023 and the same was dismissed by an order dated 17.03.2023. This order has become final and in spite of the same, the petitioner filed a very similar application once again and the Court below had rightly dismissed the said application. Hence, this Court does not find any illegality or infirmity in the order passed by the Court below and absolutely there are no merits in this petition.

3. In the result, this criminal original petition is dismissed. Consequently, the connected miscellaneous petition is also closed.

22.08.2023

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



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To

WEB COPY

- 1.The Judicial Magistrate,
Fast Track Court No.I, Erode
- 2.The Public Prosecutor,
Madras High Court,
Chennai 600 104..



WEB COPY



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N. ANAND VENKATESH, J.

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22.08.2023