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Crl.O.P.No.1091 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2023

CORAM

THE HON'BLE Mr. JUSTICE G.CHANDRASEKHARAN

Crl.O.P.No.1091 of 2023

and

Crl.M.P.Nos.560 and 563 of 2023

M.Gunasekaran

...Petitioner

Vs.

Meganathan

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of the Code of Criminal Procedure, to set aside the order passed by the learned Judicial Magistrate, No.I, Thiruppathur, Vellore District in Crl.M.P.No.6956 of 2022 in S.T.C.No.111 of 2017 dated 02.11.2022.

For Petitioner : Mr.E.Kannadasan

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the learned Judicial Magistrate, No.I, Thiruppathur, Vellore District in Crl.M.P.No.6956 of 2022 in S.T.C.No.111 of 2017 dated 02.11.2022.

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



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filed a memo in S.T.C.No.111 of 2017 for examining the Branch Manager of L & T Finance Limited to prove his case. However, the petition was dismissed by learned Judicial Magistrate No.I, Thiruppathur, Vellore District. Challenging the order of dismissal, this petition is filed.

3. On going through the records, especially the petition and order of the learned Magistrate, this Court finds that, the petitioner had not filed any petition, for examining the Branch Manger of L & T Finance Limited. Only a memo has been filed for examining the Branch Manager of L & T Finance Limited. There is no mention in the memo about which branch and for what manner the examination of Branch Manger of L & T would be useful to the case of the petitioner. Therefore, learned Magistrate finding that, no proper reasons given for examining the Branch Manger of L & T Finance Limited and that this case was originally filed in the year 2013 and then the same was transferred and renumbered as S.T.C.No.111 of 2017, dismissed the petition.

4. In such view of the matter, this Court does not find any reason to interfere with the well considered order of learned Magistrate. Therefore, the order passed by the learned Judicial Magistrate, No.I, Thiruppathur, Vellore



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is confirmed. Accordingly, this Criminal Original Petition is dismissed.

Consequently, the connected Miscellaneous Petitions are closed.

20.01.2023

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Index: Yes/No

Speaking Order: Yes/No

G.CHANDRASEKHARAN.J.,



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To

The Judicial Magistrate, No.I,
Thiruppathur,
Vellore District

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20.01.2023