



Crl.O.P.No.27419 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2023

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.27419 of 2023

G.Palani

.. Petitioner

/versus/

S.Pannerselvam

.. Respondent

Criminal Original Petition is filed under Section 482 of Cr.P.C., to set aside the order passed in Crl.M.P.No.6436/2022 in S.T.C.No.204 of 2021, dated 13.05.2023, passed by the Judicial Magistrate, Polur.

For Petitioner :Mr.B.Jawahar

ORDER

The petitioner is an accused in S.T.C.No.204 of 2021 has sought for recalling the witnesses under Section 311 of Cr.P.C., the trial Court has allowed the prayer on costs of Rs.1,000/- payable on or before 13.02.2023.



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Dr.G.JAYACHANDRAN,J.

rpl

2. When the case was called on 13.02.2023, there was no representation on behalf of the petitioner. Thereafter, the trial Court dismissed the petition on 13.05.2023 i.e., after three months for default. The present petition is filed on 28.10.2023, five months after the dismissal, with the prayer to set aside the order passed by the trial Court on 13.05.2023. The scheme of the petitioner to protract the proceedings could be very palpably seen from the manner in which the application filed and allowed to be dismissed and then belatedly filed a petition to set aside the order. This Court finds no genuineness in the petition, hence this Criminal Original Petition is dismissed.

8.12.2023

Netural Citation:yes/no
rpl

To:

The Judicial Magistrate, Polur.

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