



Crl.O.P.(MD)No.2261 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.02.2023**

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.O.P.(MD)No.2261 of 2023

and

CrI.M.P.(MD)No.1983 of 2023

Ayyappan

... Petitioner

Vs.

Perumal

... Respondent

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to set aside the order dated 06.12.2022 in Cr.M.P.No.4896 of 2022 in S.T.C.No.726 of 2016 on the file of the Judicial Magistrate, Pudukkottai.

For Petitioner : Mr.R.Prasanna

ORDER

This Criminal Original Petition is directed against the order passed in Cr.M.P.No.4896 of 2022 in S.T.C.No.726 of 2016, dated 06.12.2022, on the file of the Judicial Magistrate No.I, Pudukkottai.



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2. Admittedly, the respondent/complainant has filed a complaint under Section 200 Cr.P.C. against the petitioner for the offences under Sections 138 r/w 142 of Negotiable Instruments Act.

3. It is evident from the records that the case stands posted for defense side further witnesses. It is also evident that the petitioner has examined two witnesses P.W.1 and P.W.2.

4. The petitioner has filed the above application seeking permission to examine one Santhosh Amma alleged to have knowledge of the misappropriation of the alleged cheque and the Inspector of Police, DCB, who recorded the statement of the said Santhosh Amma. The learned Judicial Magistrate, by observing that the petitioner without furnishing required particulars and without production of the copy of the complaint sought to be marked has filed the petition, has dismissed the petition.

5. On perusal, it is clearly evident that since the case is pending from 2016, the above petition came to be filed only to protract the proceedings. Hence, this Court is not inclined to allow the petition.



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Accordingly, this Criminal Original Petition stands dismissed.

Consequently, connected Miscellaneous Petition is closed.

03.02.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
csm



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K.MURALI SHANKAR,J.

csn

Order made in
Crl.O.P.(MD)No.2261 of 2023
and
Crl.M.P.(MD)No.1983 of 2023

Dated: 03.02.2023