



CrI.O.P.(MD)No.2831 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.02.2023

CORAM :

THE HONOURABLE Mr. JUSTICE G.ILANGO VAN

CrI.O.P.(MD)No.2831 of 2022
and CrI.O.P(MD).No.2565 of 2023

Chitra Jacindha

... Petitioners

Vs.

1.The Inspector of police,
All Women Police Station,
Thoothukudi,
Thoothukudi District.

2.M.Murugan @ Jebaraj Samvel

3.Lakshmi

4.Muniyappan

5.Meri

6.S.Rubi

7.Thangavel Daniel

... Respondents

Prayer : Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to set aside the order passed in Cr.M.P.No.15256 of 2022 in C.C.No.1509 of 2017 dated 23.01.2023 on the file of the learned Judicial Magistrate IV, Tuticorin, Tuticorin District.



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For Petitioners
For R1

: Mr.KA.Ramakrishnan
: Mr.E.Antony Sahaya praphahar
Additional Public Prosecutor

ORDER

This Petition has been filed seeking to set aside the order passed in Cr.M.P.No.15256 of 2022 in C.C.No.1509 of 2017 dated 23.01.2023 on the file of the learned Judicial Magistrate IV, Tuticorin, Tuticorin District.

2. The grievance expressed by the petitioner is that originally compromise was reached between herself and the accused. Thereafter, she has given evidence against the prosecution case. Later, the above said compromise failed. On that ground only, the petitioner/defacto complainant wanted to recall herself for further examination, that was resisted by the accused and by the order dated 23.01.2023, the trial Court dismissed the petition.

3. Considering the facts and circumstances of this case, the petitioner is directed to approach the learned Additional Public Prosecutor, who is conducting the case before the trial Court and advise or instruct him to take appropriate steps to recall herself before the trial Court and the petitioner cannot directly file a petition to recall herself before the trial Court.



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4. In view of the above said liberty, this Criminal Original Petition is disposed of .

14.02.2023

Index : Yes/No
Internet:Yes/No
tta

To

- 1.The Inspector of police,
All Women Police Station,
Thoothukudi,
Thoothukudi District.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.ILANGO VAN, J.,

tta

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