



Crl.O.P.(MD)No.5507 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.03.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.5507 of 2023

Deva Aasir

... Petitioner/Respondent

Vs.

Sudharamasamy

... Respondent/Complainant

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to direct the learned Judicial Magistrate to commence the trial in C.C.No.492/2018 jointly along with S.T.C. 969/2019 as per the Memo recorded dated 24.02.2022, on the file of the Learned Judicial Magistrate, Bodinayakanur, Theni District.

For Petitioner : Mr.Ka.Raamakrishnan

ORDER

This Criminal Original Petition has been filed, invoking Section 482 Cr.P.C., seeking direction to direct the learned Judicial Magistrate to commence the trial in C.C.No.492/2018 jointly along with S.T.C. 969/2019 as per the Memo recorded dated 24.02.2022, on the file of the



Crl.O.P.(MD)No.5507 of 2023

Learned Judicial Magistrate, Bodinayakanur, Theni District.

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2. Now the grievance of the petitioner is that he is facing two charges in C.C.No.492 of 2018 jointly along with S.T.C.969 of 2019 before the very same Court, he is facing common defence in both the matters and the documents which are proposed to be marked by him also the same. The petitioner may not be in a position to mark the original documents in both the proceedings simultaneously. For that purpose, the petitioner wants joint trial in C.C.No.492/2018 and S.T.C.969/2019.

3. Considering the grievance of the petitioner, the joint trial is not permissible, but the simultaneous trial can be ordered. The memo that was filed by the petitioner is also recorded. In the above said circumstance, the learned Judicial Magistrate, Bodinayakanur, Theni District, is directed to conduct the trial in C.C.No.492/2018 and S.T.C. 969/2019 simultaneously. The petitioner may be permitted to mark the certified copies of the documents in the subsequent case. So that the grievance that is expressed by the petitioner may be redressed.



Crl.O.P.(MD)No.5507 of 2023

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4. With the above said direction, this Criminal Original Petition is disposed of.

24.03.2023

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

Indu

To

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.O.P.(MD)No.5507 of 2023

G.ILANGO VAN,J.

Indu

Order made in
Crl.O.P.(MD)No.5507 of 2023

Dated: 24.03.2023