



Crl.O.P.(MD)No.6735 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:12.04.2023

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.6735 of 2023

R.Chandrapushpam

...Petitioner

Vs.

1.The State rep. by
The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.

2.Gnanam @ Gnanaselvam

.... Respondents

PRAYER: This Criminal original Petition is filed under Section 482 Cr.P.C., to set aside the docket order, dated 21.03.2022 passed in Crl.M.P.No.764 of 2022 in C.C.No.430 of 2020 on the file of the learned District Munsif Cum Judicial Magistrate, Radhapuram.

For Petitioner : Mr.P. Rajesh

For Respondent No.1 : Mr.B.Nambiselvan
Additional Public Prosecutor



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ORDER

This Criminal Original Petition has been filed to set aside the docket order, dated 21.03.2022 passed in Crl.M.P.No.764 of 2022 in C.C.No.430 of 2020 on the file of the learned District Munsif Cum Judicial Magistrate, Radhapuram.

2. Challenging the order allowing the petition filed by the accused under Section 311 Cr.P.C., , the petitioner / defacto complainant has filed this petition.

3. The grievance of the petitioner is that after the examination of PW.1 to PW.4 on 06.09.2021 itself, this petition has been filed by the accused and that the petition was allowed without even assigning any reason. Even according to the petitioner, no reason was mentioned by the accused for non cross examination of the witnesses on the same day of chief examination.

4. So whatever it may be, it is seen that the petitioner / defacto complainant straightaway filed this petition challenging the order



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passed by the trial Court. Challenging above said order, the petitioner had claimed only cost.

5. The said petition has been filed for further cross examination of PW.1 to PW.4. Perusal of the records shows that examination of PW.1 was closed and it is a family dispute between the parties. Even the petitioner is aged about 72 years and he can get the cost only from the accused. So, I find no merit in this petition. Accordingly, this Criminal Original Petition is dismissed.

12.04.2023

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

To

1. The Inspector of Police,
Thisayanvilai Police Station,
Tirunelveli District.

2. The District Munsif Cum Judicial Magistrate, Radhapuram.

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

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G.ILANGOVAN,J

trp

Order made in
CrI.O.P.(MD)No.6735 of 2023

Dated :12.04.2023