



Crl.O.P.(MD)No.7773 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.06.2023**

CORAM

THE HON'BLE MR.JUSTICE G.ILANGO VAN

Crl.O.P.(MD)No.7773 of 2023

and

Crl.M.P(MD) No.6750 of 2023

1. M/s.Hi Tech Foams,
Madurai Integrated Textile Park,
Vadipatti Post,
Madurai, represented by Managing Partner,
X.R.Sahayaraj Baskaran.

2. R.Sahayaraj Baskaran,

3. X.R.Jerom Martin

... Petitioners/Accused

Vs.

M/s.Sri Parameshwari Spinning Mills Private Ltd,
Represented by its Finance Manager,
Sri M.Ravi

...Respondents/Complainants

PRAYER : Criminal Original Petition filed under Section 482 of Criminal Procedure Code, to call for the records of pertaining to the order passed by the Learned Judicial Magistrate Court, Aruppukottai in Crl.M.P.No.863 of 2023 in CC NO. 284 of 2022 dated 21/3/2023 and set aside the same.



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For Petitioner : Mr.Sarvagan Prabhu S

For Respondents : Mr.G.Karuppasamy Pandian

ORDER

This Criminal Original Petition has been filed to call for the records of pertaining to the order passed by the Learned Judicial Magistrate Court, Aruppukottai, in Crl.M.P.No.863 of 2023 in C.C NO. 284 of 2022 dated 21/3/2023 and set aside the same.

2. The petitioner filed a petition to recall the respondent herein before the trial Court and the same was allowed by the order dated 21.03.2023 and Rs.10,000/- cost was imposed upon the petitioner. Now challenging the payment of above said cost only, this petition has been filed.

3. Now there shall be a direction to the trial Court namely learned Judicial Magistrate, Aruppukkottai, to examine the complainant afresh by taking chief in affidavit.



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4. In view of the above said grievances expressed by the learned counsel for the petitioner, one more opportunity is given to the petitioner on payment of cost of Rs.2,000/- shall be paid to respondent herein. Let the cost be paid within a week either directly or to be deposited in the trial Court. On payment, the trial Court shall fix date for recall P.W.1 for further cross examination. The petitioner must cross examine the P.W.1 on that date, without fail. If any failure is noticed on the part of the petitioner, his further right will be forfeited forever. The trial Court is further directed to complete the entire trial process within four months from the date of receipt of copy of this order.

5. With the above said direction, this Criminal Original Petition is allowed. Consequently, connected Miscellaneous Petition is closed.

20.06.2023

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

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G.ILANGO VAN,J.

Indu

To

- 1.The learned Judicial Magistrate, Aruppukkottai.
- 2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Order made in
CrI.O.P.(MD)No.7773 of 2023

Dated: 20.06.2023