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Crl.O.P.(MD)No.19048 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.10.2023**

CORAM:

THE HONOURABLE MR.JUSTICE **G.ILANGO VAN**

Crl.O.P.(MD) No.19048 of 2023

and

Crl.M.P(MD) No.15057 of 2023

W.S.M.D.B.Mugunthan

... Petitioner

Vs.

W.T.K.M.R.Palanichamy (Died)

Roselin

...Respondent

PRAYER: Criminal Original Petition is filed under Section 482 of Cr.P.C, to set aside the order passed in Crl.M.P No.5809 of 2023 in C.C No.03 of 2005 on the file of learned Judicial Magistrate, Nilakkottai, Dindigul District dated 04.10.2023 and permit the petitioner to cross examine the witness P.W 1.

For Petitioner : Mr. SC.Herold Singh

ORDER

This petition has been filed to set aside the order passed in Crl.M.P No.5809 of 2023 in C.C No.03 of 2005 on the file of learned Judicial Magistrate, Nilakkottai, Dindigul District, dated 04.10.2023 and permit the petitioner to cross examine the witness P.W 1.



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2. The petitioner is facing charges under Section 138 of Negotiable

Instrument Act before the concerned trial Court in C.C.No.03 of 2005.

Originally the complaint was filed by the father of the respondent. He was examined in chief and cross. The respondent continued the prosecution, after death of her father. She was also examined in chief and cross. The case was posted for argument on the side of the accused on 25.03.2003. Only at that time, the petitioner filed a petition seeking recall of P.W.1 for further examination. Considering the oldness of the matter, the above said petition was dismissed by the concerned trial Court on 04.10.2023.

3. I find no reason to entertain this petition, since the matter is pending for more than 18 years. Hence, this Criminal Original Petition deserves dismissal and accordingly dismissed. Consequently, the connected Miscellaneous Petition is closed.

20.10.2023

NCC:Yes/No

Index : Yes/No

Internet : Yes/No

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To

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

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G.ILANGOVAN. J.

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