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Crl.O.P.(MD)No.21772 of 2023



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.12.2023**

CORAM:

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

Crl.O.P.(MD)No.21772 of 2023
and Crl.M.P.(MD).No.17018 of 2023

Vijayaragunathan

... Petitioner

Vs.

Chandrakanth

... Respondent

PRAYER : Criminal Original Petition is filed under Section 482 of Cr.P.C, to call for the records and set aside the order passed in Crl.MP.No.2818/2023 in STC No.527/2019 dt.14/8/2023 on the file of the learned Judicial Magistrate, Keeranur.

For Petitioner : Mr.S.Poornachandran

ORDER

This Criminal Original Petition has been filed to set aside the order passed by the learned Judicial Magistrate, Keeranur in Crl.MP.No.2818 of 2023 in STC No.527 of 2019 dated 14.08.2023.



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2. The grievance of the petitioner is that Crl.M.P.No.2818 of 2023 was filed by the accused seeking cross examination of P.W.1 to P.W.4 and that was considered by the trial Court on imposition of costs of Rs.1000/-each. The said costs to be paid on or before 24.08.2023. According to the counsel for the petitioner cost was not paid in time so he informed the same to the court about the non compliance of the order . That was also informed to the Court by an undated memo.

3. It is the further grievance of the petitioner that on the above said date only the trial Court has directed the respondent to deposit the said amount and the same was also deposited on 05.09.2023. The learned counsel for the petitioner would further submit that without properly filing application seeking extension of time and only after informing the court about the non compliance without proper order of extension of time it was permitted to be deposited, hence the learned counsel for the petitioner finds some illegality.

4. This Court is unable to understand the grievance of the petitioner. When the court passed an order and there is an non compliance of the order it is well within the Court to direct the



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petitioner to comply with the order. Hence the grievance of the petitioner cannot be accepted and it deserves to be rejected.

5. Accordingly the petition stands dismissed. However the trial Court is directed to complete the trial proceedings in STC No.527 of 2019 as early as possible preferably within a period of four months from the date of receipt of a copy of this order. Consequently connected miscellaneous petition stands closed.

04.12.2023

Index : Yes/No
Internet : Yes/No
AAV

To

The Judicial Magistrate, Keeranur



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G.ILANGOVAN. J.

AAV

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