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Crl.OP.Nos.1506 and 1512 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.OP.Nos.1506 and 1512 of 2024

and

Crl.MP.Nos.1046 and 1047 of 2024

S.Kalidas

... Petitioner
(in both Crl.OPs)

Vs.

State Rep.by its,
The Inspector of Police,
Vaivedu Police Station,
Nagapattinam District.

... Respondent
(in both Crl.OPs)

Prayer in Crl.OP.No.1506 of 2024: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to issue suitable directions to the learned District Munsif-Cum-Judicial Magistrate, Vedaranyam to number the Crl.MP.S.R.No.751 of 2023 filed by the petitioner on 26.07.2023 and dispose the same in accordance with law.

Prayer in Crl.OP.No.1512 of 2024: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, pleaded to issue suitable directions to the learned District Munsif-Cum-Judicial Magistrate, Vedaranyam to assign number for the unnumbered Crl.MP. of 2022 dated 27.10.2022 filed by the petitioner and dispose the same in accordance with law.



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For Petitioner : Mr.D.Bharathy
(in both Crl.OPs)

For Respondent : Mr.S.Udayakumar
Government Advocate (Crl.Side)
(in both Crl.OPs)

COMMON ORDER

The petitioner/accused in C.C.No.32 of 2013 on the file of the learned District Munsif-Cum-Judicial Magistrate, Vedaranyam. Being aggrieved that, the petition in Crl.MP.Sr.No.751 of 2023 not numbered and the same was taken up for consideration. The present petition is filed seeking direction to the Judicial Officer to number the petition and pass orders on merits.

2. A perusal of the un-numbered petition indicates that the petitioner has sought one month time to approach the High Court for disposal of his petition filed on 21.12.2022 calling for the expert opinion regarding disputed document. Infact, the petitioner had filed Crl.OP.No.15563 of 2023 before the High Court for transfer of case from the file of District Munsif Court-Cum-Judicial Magistrate, Vedaranyam to the learned Judicial Magistrate-I, Mayiladuthurai, this was disposed of on 12.07.2023 with liberty to the petitioner to mount the witness box and produce the documents. This order was passed taking note of the fact



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that the trial in this case was already over and the matter was posted for arguments on 26.07.2023.

3. It appears that the petitioner instead of mounting the witness box and produce documents had abstained from appearing before the Court and non bailable warrant is pending. The matter is posted for judgements on 02.05.2024, recording the absence of the accused and issuance of non bailable warrant. At this juncture, the present petition is filed to number the miscellaneous petition.

4. From the records, it is clear that, the petitioner herein who is contesting the case in person without availing the opportunity of producing the documents by mounting the witness box as permitted by this Court in Crl.OP.No.15563 of 2023 has come out this petition which is apparently a frivolous one and without any basis. Hence, these Criminal Original Petitions are dismissed. Consequently, the connected miscellaneous petitions are closed.

Vv

23.04.2024



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To

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1. The District Munsif-Cum-Judicial Magistrate,
Vedaranyam
2. The Inspector of Police,
Vaivedu Police Station,
Nagapattinam District.
3. The Public Prosecutor,
High Court of Madras,
Chennai.



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Dr.G.JAYACHANDRAN,J.

Vv

**Crl.OP.Nos.1506 and 1512 of 2024
and
Crl.MP.Nos.1046 and 1047 of 2024**

23.04.2024