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Crl.O.P.No.5409 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.5409 of 2023

Manivel

...Petitioner

Vs.

Lakshmi

...Respondent

Criminal Original Petition under Section 482 of the Criminal Procedure Code praying to set aside the docket order in M.C.SR.No.5396 of 2022 dated 30.11.2022 on the file of the Judicial Magistrate No.I, Attur, Salem District.

For Petitioners : Mr.M.Senthilkumar

ORDER

This petition has been filed challenging the docket order dated 30.11.2022, wherein the petitioner was directed to obtain Disability Certificate to substantiate the permanent disability suffered by the petitioner and to set aside the same.



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WEB COPY 2. Heard the submissions of learned counsel for the petitioner and perused the records.

3. In the considered view of this Court, the Docket Order was passed on 30.11.2022 and it has been put to challenge after one year and one month. That apart, if the petitioner is not in a position to produce the Disability Certificate, he has to go and give sufficient reason before the Court below and convince the Court. There is no question of interfering with the Docket Order passed on 30.11.2022. The power vested under Section 482 Cr.P.C, is not meant to be used for such frivolous claims.

4. With the above observations, this Criminal Original Petition is dismissed.

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Index : Yes/No
Speaking Order : Yes/No

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