



WEB COPY



Crl.O.P.No.18095 of 2023

In the High Court of Judicature at Madras

Dated : 06.3.2024

Coram :

The Honourable Mr.Justice N.ANAND VENKATESH

Criminal Original Petition No.18095 of 2023
& Crl.M.P.No.11971 of 2023

Jawahar

...Petitioner

Vs

Munusamy

...Respondent

PETITION under Section 482 of the Criminal Procedure Code praying to call for the records relating to the order dated 07.6.2023 made in Crl.M.P.No.567 of 2023 in S.T.C.No.215 of 2021 on the file of the Judicial Magistrate, Gingee and set aside the same.

For Petitioner : Mr.C.Munusamy

ORDER

Earlier, this Court had specifically directed the learned counsel for the petitioner to take private notice to the respondent as well as the learned counsel appearing on behalf of the respondent before the



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Court below. Further, when the matter came up for hearing on 09.1.2024, the learned counsel for the petitioner was not able to affirm as to whether the private notice was taken on the respondent. Therefore, this Court gave one more opportunity to the learned counsel to the petitioner so as to serve private notice on the respondent.

2. Even today, when the matter is taken up for hearing, the learned counsel for the petitioner submits that the notice was served on the learned counsel appearing on behalf of the respondent before the Court below. However, there is absolutely no indication as to whether private notice was taken on the respondent.

3. In view of the same, the above criminal original petition is dismissed for non prosecution. Consequently, the connected Crl.M.P. is also dismissed.

06.3.2024

RS



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N.ANAND VENKATESH,J

RS

To
1.The Judicial Magistrate, Gingee.
2.The Public Prosecutor,
High Court, Madras.

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