



Crl.O.P.No.20984 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Crl.O.P.No.20984 of 2023

and

Crl.M.P.No.14423 of 2023

J.Rani,
W/o.Jayaraman

... Petitioner

Vs.

K.Singaram,
S/o.Karuppaiya Konar

... Respondent

Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure praying to set aside the order passed in Crl.M.P.No.129 of 2023 in C.C.No.1628 of 2020, dated 15.06.2023 on the file of the Judicial Magistrate – VI, Salem.

For Petitioner : Mr.J.Prithivi

ORDER

This petition has been filed challenging the order passed by the Court below in Crl.M.P.No.129 of 2023, dated 15.06.2023,



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dismissing the application filed under Section 91 of the Code of Criminal Procedure and for a direction to the respondent to produce certain documents.

2. When the matter came up for hearing on 14.09.2023, this Court passed the following order :

“ The learned counsel for the petitioner submitted that a Recall Petition was filed to recall P.W.1 for cross-examination. In view of the same, this petition can be kept pending and depending upon the answer given by the defacto-complainant during cross-examination, this petition can be dealt with.

2. The learned counsel for the petitioner shall produce the copy of the deposition of P.W.1 during the next date of hearing.

3. Post this case under the same caption on 27.09.2023. ”

3. When the matter was taken up for hearing today, it was brought to the notice of this Court that the petitioner did not cross examine P.W.1 and since the petitioner was absent during the hearings, a Non-Bailable Warrant was also issued against the petitioner and it is pending.



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4. In the light of the above development, the petitioner did not properly utilize the opportunity given by this Court and hence, this Court does not find any merits in this petition. It will be left open to the petitioner to raise all the grounds before the Court below and the Court below shall consider the same on its own merits and in accordance with law.

5. Accordingly, this Criminal Original Petition stands dismissed. Consequently, connected Criminal Miscellaneous Petition is closed.

15.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

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To

The Judicial Magistrate – VI,
Salem.



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