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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2024

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

Crl.O.P.No.23549 of 2024
& Crl.M.P.No.13329 of 2024

Jeyaraj. ... Petitioner/Accused

/versus/

State Rep. by,
The Sub Inspector of Police,
Avinangudi Police Station,
Cuddalore District.
(Crime No.62/2015) ... Respondent/Complainant

Prayer: Criminal Original Petition is filed under Section of 528 of BNSS, pleased to set aside the order passed in C.M.P.No.120 of 2024 in C.C.No.252 of 2015 on the file of Judicial Magistrate, Tittagudi, dated 14.06.2024.

For Petitioner : Mr.B.Kumarasamy.

For Respondent : Mr.K.M.D.Muhilan,
Government Advocate (Crl.Side)

O R D E R

The Criminal Original Petition is filed to set aside the order passed in C.M.P.No.120/2024 in C.C.No.252 of 2015 on the file of Judicial Magistrate,

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Thittagudi, dated 14.06.2024.

2. The petition is to recall the witness who has already been extensively cross examined as early as 27.08.2018. The case is of the year 2015 and witness was examined in the year 2018, whereas, the petition to recall is filed in the year 2024. The trial Court, after taking note of the fact, dates and events, has rightly dismissed the application filed under Section 311 of Cr.P.C.

3. The present petition is filed challenging the said order deserves to be dismissed, since there is no merit for consideration.

4. Hence, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.

19.10.2024

Index : Yes/No
Neutral Citation : Yes/No
bsm
To:-
1. The Judicial Magistrate, Tittagudi.
2. The Sub Inspector of Police, Avinangudi Police Station, Cuddalore District.
3. The Public Prosecutor, High Court, Madras.

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Dr.G.JAYACHANDRAN, J.

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