



Crl.O.P.Nos.28667 and 28817 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 27.11.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.O.P.Nos.28667 and 28817 of 2024

Dr.D.Thamarai Selvi
Crl.O.Ps.

.. Petitioner in both the

Vs.

Madhavaraj (died)

1. Tmt.S.Mohanamani

2. Tmt.Geetha

(Respondents 1 and 2
are represented by
Mr.Shanmugasundaram)

.. Respondents in both the Crl.O.Ps.

Crl.O.P.No.28667 of 2024 filed under Section 482 Cr.P.C. to call for the records relating to the order dated 17.08.2023 made in Crl.M.P.No.1682 of 2023 in S.T.C.No.632 of 2015 on the file of the Judicial Magistrate No.III, Salem and set aside the same.

Crl.O.P.No.28817 of 2024 filed under Section 482 Cr.P.C. to call for the records relating to the order dated 17.08.2023 made in Crl.M.P.No.1683 of 2023 in S.T.C.No.632 of 2015 on the file of the Judicial Magistrate No.III, Salem and set aside the same.

For petitioners : M/s.Om Sai Ram

For respondents: Mr.K.Selvaraj

Page No.1/3



WEB COPY



Crl.O.P.Nos.28667 and 28817 of 2024

COMMON ORDER

The petitioners have filed these petitions challenging the order dated 17.08.2023 passed in Crl.M.P.Nos.1682 and 1683 of 2023 in S.T.C.No.632 of 2015 on the file of the Judicial Magistrate No.III, Salem. The said Crl.M.Ps. have been filed to recall and reopen the witness in the pending S.T.C.No.632 of 2015. The impugned order was passed on 17.08.2023. The petitioner had kept quiet for a long time i.e. for even more than one year. The present Crl.M.Ps. have been filed belatedly. From the order passed by the Magistrate, it reveals that despite giving opportunity, the petitioner did not avail the opportunity even after passing of the order, one year he has not challenged it and he should have either approached the Magistrate or before this Court. In these circumstances, it is clear that the petitioner has not approached the Court with clean hands and the only motive of the petitioner is to protract the complaint proceedings. Hence, these Crl.O.Ps. are dismissed.

27.11.2024

CS

To

1. The Judicial Magistrate No.III, Salem.

Page No.2/3



Crl.O.P.Nos.28667 and 28817 of 2024

2. The Public Prosecutor, High Court, Madras.

WEB COPY

P.VELMURUGAN, J

CS

Crl.O.P.Nos.28667 and
28817 of 2024

27.11.2024

Page No.3/3